



RIO RANCHO

POLICE

SERVING SINCE 1981

Effective Date: 10-01-1989
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STANDARDS AND PROCEDURES

STANDARDS AND PROCEDURES MANUAL

GENERAL STANDARD

These standards and procedures are published for guidance and direction of MOS of the Rio Rancho Police Department. You must become thoroughly familiar with the policies so you can more effectively provide service to the public through consistent and uniform procedures. These policies have been designed to meet the high standards of our occupation. You must base your actions in accordance with the guidelines, unless there is justifiable cause for deviation. You must always use good judgment, common sense, and discretion in delivering public services. No set of policies can address every phase of your duties and responsibilities, nor every situation you will encounter.

STANDARDS AND PROCEDURES

A. Manual Format

1. The Manual is arranged into sections based on the responsibilities of the Rio Rancho Police Department. The sections, chapters, and articles are divided and labeled with numbers. The body text is labeled with letters, which may be further divided into numbers and small letters.
2. Each procedure begins with a "General Standard" that specifies the scope of discretion, initiative, or development of judgment when deciding what shall or may be done in practice. The general standards are guidelines and principles, which illustrate a course of action for MOS to pursue. "Standards and Procedures" then follow.

B. MOS Responsibilities

1. All MOS must familiarize themselves with the contents of the Manual and conduct themselves in accordance with its regulation.
2. MOS are to sign a document that acknowledges their understanding to perform in conformance with the established standards and procedures. Compliance is expected and shall be enforced.

C. Manual Distribution

1. The Manual shall be available to all MOS. However, the content may vary by division due to the different responsibilities. The Manual may be distributed in electronic format to all MOS.
2. Due to technological advances, current legislation and court decisions, policies are dynamic and may be revised to correspond to an ever-changing society. To respond appropriately, standards and procedures shall sometimes change, and the revisions shall be issued and distributed on a timely basis.

D. Authority

1. Since situations occasionally arise which may mitigate a violation of the Manual, the Chief of Police may evaluate the mitigating circumstances, facts and evidence on an individual basis when assessing the conduct or performance of an MOS.
2. The Chief of Police may issue a written directive to all Department MOS. A written directive shall serve as an interpretation or amendment of an existing Standards and Procedures section. This will be done with the intent to later amend the Standards and Procedures Manual.
3. These policies are for internal use only, and do not enlarge a member's civil or criminal liability in any way. They should not be construed as the creation of a higher standard of safety or care in an evidential sense, with respect to third party claims. Violations of these policies, if proven, can only form the basis of a complaint by the Rio Rancho Police Department.

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.

These policies have been developed for internal use only by members of the Rio Rancho Police Department. Copies of this Manual may be distributed in electronic format to the public at the direction of the Chief of Police. However, MOS are directed to not copy or loan this Manual or individual directive, to any person, agency, or organization without proper authorization.



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Section: 1
Chapter: 1
Article: 1

DEPARTMENT VALUES, MISSION AND MOTTO

GENERAL STANDARD

The Department exists to serve the community by protecting life and property for all citizens.

Paramount to the Department's mission is the values that guide the work and decisions. The values provide a benchmark for the Department's performance in contributing to the quality of life in Rio Rancho.

Values are characteristics or qualities of worth, and they are non-negotiable. MOS shall never ignore them for the sake of expediency or personal preference.

The Department holds its values constantly before each MOS to teach and remind MOS, and the community, of our ideals. They are the foundation upon which our policies, missions and operations are built.

The Department is committed to providing aggressive service to the public in regard to law enforcement, animal control, traffic safety, and emergency medical care in a professional manner consistent with the expectations placed on the Department by the community to protect and safeguard life, property and the constitutional rights of its citizens.

STANDARDS AND PROCEDURES

- A. Value Statement - "IN THIS WE BELIEVE"
 - B. The Values of the Rio Rancho Police Department shall serve as a foundation for all facets of the Agency. The following values are the basis of all of the Department's functions.
 1. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN THE VALUE OF HUMAN LIFE AND DIGNITY.** All persons shall be treated with courtesy and respect. Abuse of police authority is not compatible with the trust vested in us by the community.
 2. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES INTEGRITY IS THE BASIS FOR COMMUNITY TRUST.** Our members will conduct themselves in the most professional manner possible so as to serve as role models for the community. A higher standard of conduct is expected of those who carry out the goals of the criminal justice system.
 3. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN THE PRINCIPLES OF THE CONSTITUTION.** We respect the basic rights and freedoms afforded persons by the Bill of Rights of the U.S. Constitution.
 4. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN PROFESSIONAL AND PERSONAL EXCELLENCE.** We are committed to high standards of agency and individual performance. We encourage pursuit of higher education by our employees to enhance themselves, the Department, and the police profession.
 5. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN THE QUALITY OF OUR WORKFORCE.** We strive to employ capable, hard-working people who are doing important and satisfying work for the citizens of Rio Rancho. We carefully screen our personnel to ensure compliance with the highest standards possible, provide the best training available and guide them with exemplary supervision.
 6. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN MAINTAINING HIGH STANDARDS OF FISCAL RESPONSIBILITY IN THE EXPENDITURE OF RESOURCES ENTRUSTED TO US.** We believe that all such resources should be directed to the achievement of departmental goals and objectives in service to the public.
 7. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN COOPERATION.** We believe in community policing to enhance public safety. We will work with the community to address problems that cause crime and disorder.
 8. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN CRIME PREVENTION.** We believe our basic mission is to prevent crime and to deliver vigorous law enforcement services when crime occurs. We welcome community participation to help us deter and successfully investigate crime.
 9. **THE RIO RANCHO POLICE DEPARTMENT BELIEVES IN FAIRNESS AND EQUALITY TO ALL PERSONS.** Fair and equal treatment will be afforded all individuals we come in contact with and our actions will be tempered with compassion.
 - C. Mission Statement - The mission for every member of the Rio Rancho Police Department is to consistently seek and find ways to affirmatively promote, preserve, and deliver a feeling of security, safety and quality services to all persons within The City of Rio Rancho.
 1. This mission is a commitment to quality performance from all members. It is critical that all members understand, accept and be aligned with the responsibilities established by this mission. It provides the foundation upon which all operational decisions and organizational directives will be based. Directives include rules, regulations, operation policies, procedures and practices.
 2. This mission represents the commitment of this administration to the concepts of quality performance management. In other words, members are expected to work consistently in a quality manner in the daily performance of those duties, job responsibilities and work tasks associated with this mission. "Quality manner" means that performance outcomes comply with the performance standards established for this agency and for each member associated with this agency. Examples of performance standards include the oath of office, code of ethics, agency rules, policies, procedures, directives, general and supervisory orders, work productivity, and performance behavior.



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3. Each member is required to accept the responsibility for the achievement of this mission and publicly register his or her commitment to it and to the concepts of quality service.
- D. Department Motto
1. Dedication - We are dedicated to our profession, our mission and values and to provide quality public safety service to all people in Rio Rancho.
 2. Pride - We are proud to serve in a growing and vibrant community. Our pride and commitment to public safety reflect how we feel about our department, community and one another.
 3. Service - Our number one priority is providing the people in Rio Rancho with quality service, professionalism and integrity.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant polices and procedures.



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Section: 1
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Article: 2

CODE OF ETHICS

STANDARDS AND PROCEDURES

As a law enforcement officer, my fundamental obligation is to protect the constitutional rights and freedoms of the people whom I have been sworn to uphold.

While I consider the way I choose to conduct my private affairs a personal freedom, I accept the responsibilities for my actions, as well as inactions, while on duty or off duty, when those actions bring disrepute on the public image of my employer, my fellow officers and the law enforcement profession.

I vow to perform all my duties in a professional and competent manner. I consider the abilities to be courageous in the face of danger and to exercise restraint in the use of my powers and authorities to be the ultimate public trust. I accept that I must consistently strive to achieve excellence in learning the necessary knowledge's and skills associated with my duties. I will keep myself physically fit and mentally alert so that I am capable of performing my duties according to the standards of quality expected of my position.

I vow to be fully truthful and honest in my dealings with others. I deplore lies and half-truths that mislead or do not fully inform those who must depend upon my honesty. I will obey the very laws that I am sworn to uphold. I will seek affirmative ways to comply with the standards of my department and the lawful directions of my supervisors.

I vow to treat others with courtesy at all times. I consider it to be a professional weakness to allow another's behavior to dictate my response. I will not allow other's actions or failings to be my excuse for not performing my duties in a responsible, professional and expected manner.

I vow to empathize with the problems of people with whom I come into daily contact. However, I cannot allow my personal feelings, prejudices, animosities, or friendships to influence the discretionary authorities entrusted to my job. I will affirmatively seek ways to avoid conflicts and potential conflicts of interest that could compromise my official authority or public image.

I hold the authority inherent in my position to be an affirmation of the public's trust in me as a law enforcement officer. I do not take this trust lightly. As long as I remain in this position, I will dedicate myself to maintaining this trust and upholding all the ideals of the law enforcement profession.



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Section: 1
Chapter: 1
Article: 3

CANONS OF POLICE ETHICS

GENERAL STANDARD

Due to the considerable discretion that law enforcement officers maintain while performing their duties and the need to protect the honor and integrity of the Department, the Department must ensure its officers possess the moral character to hold the badge of office. To this end, the officers of this Department shall at all times conduct themselves in a manner consistent with the principles that the Department holds before them.

STANDARDS AND PROCEDURES

- A. The primary responsibility of the police service, and of the individual officer, is the protection of the people of the United States through the upholding of the laws, chief among these is the Constitution of the United States and its amendments. The law enforcement officer represents the whole of the community and its legally expressed will, and the officer is never the arm of any political party or cliques.
- B. The first duty of a law enforcement officer, as upholder of the law, is to know its limits while enforcing the law. The officer must recognize the genius of the American system of government, which gives to no man, groups of men, or institution, absolute power, and the officer must ensure that he, as a prime defender of that system, does not pervert its character.
- C. The law enforcement officer shall diligently apply himself to the study of the principles of the laws, which he is sworn to uphold. The officer shall make certain of his responsibilities in the particulars of their enforcement, seeking aid from his superiors in matters of technicality of principle when these are not clear; the officer shall make special effort to fully understand his relationship to other public officials, including other law enforcement agencies, particularly on matters of jurisdiction, both geographically and substantively.
- D. The law enforcement officer shall be mindful of his responsibility to pay strict heed to the selection of means in discharging the duties of his office. Violations of the law or disregard for public safety and property on the part of an officer are intrinsically wrong; they are self-defeating in that they instill in the public mind a like disposition. The employment of illegal means, no matter how worthy the end, is certain to encourage disrespect for the law and its officers. If the law is to be honored, it must first be honored by those who enforce it.
- E. The law enforcement officer shall cooperate fully with other public officials in the discharge of authorized duties, regardless of party affiliation or personal prejudice. The officer shall be meticulous, however, in assuring himself of the propriety, under the law, of such actions and shall guard against the use of his office or person, whether knowingly or unknowingly, in any improper or illegal action. In any situation open to question, the officer shall seek authority from his superior officer, giving him a full report of the proposed service or action.
- F. The law enforcement officer shall be mindful of his special identification by the public, an upholder of the law. Laxity of conduct or manner in private life, expressing either disrespect for the law or seeking to gain special privilege, cannot but reflect upon the law enforcement officer and the police service. The community and the service require that the law enforcement officer lead the life of a decent and honorable person. The career of a law enforcement officer gives no person special privileges. It does give the satisfaction and pride of following and furthering an unbroken tradition of safeguarding our country. The officer who reflects upon this tradition will not degrade it. Rather, the officer shall so conduct his private life that the public will regard him as an example of stability, fidelity, and morality.
- G. The law enforcement officer, mindful of his responsibility to the whole community, shall deal with individuals of the community in a manner calculated to instill respect for its laws and its police service. The law enforcement officer shall conduct his official life in a manner such as will inspire confidence and trust. Thus, the officer shall be neither overbearing nor subservient, as no individual citizen has an obligation to stand in awe of him nor a right to command him. The officer shall give service where he can and require compliance with the law. The officer shall not act either from personal preference or prejudice but rather as a duly appointed officer of the law discharging his sworn obligation.
- H. The law enforcement officer shall use the powers of arrest strictly in accordance with the law and with due regard to the rights of the citizen concerned. The Department gives the officer no right to prosecute the violator nor to mete out punishment for the offense. The officer shall, at all times, have a clear appreciation of his responsibilities and limitations regarding detention of the violator; the officer shall conduct himself in such a manner as will minimize the possibility of having to use force. To this end, the officer shall cultivate a dedication to the service of the people and the equitable upholding of the laws whether in the handling of law violators or in dealing with the law-abiding.
- I. The law enforcement officer, representing government, bears the heavy responsibility of maintaining his own conduct, and the honor and integrity of all government institutions. The officer shall, therefore, guard against placing himself in a position in which any person can expect special consideration or in which the public can reasonably assume that special consideration is being given. Thus, the officer should be firm in refusing gifts, or gratuities, large or small, which can, in the public mind, be interpreted as capable of influencing his judgment in the discharge of his duties.
- J. The law enforcement officer shall be concerned equally in the prosecution of the wrong-doer and the defense of the innocent. The officer shall ascertain what constitutes evidence and shall present such evidence impartially and without malice. In so doing, the officer shall ignore social, political, and all other distinctions among the persons involved, strengthening the tradition of the reliability and integrity of an officer's word. The law enforcement officer shall take special pains to increase his perception and skill of observation, mindful that in many situations his is the sole impartial testimony to the facts of a case.
- K. The law enforcement officer shall regard the discharge of his duties as a public trust and recognize his responsibility as a public servant. By diligent study and sincere attention to self-improvement, the officer shall strive to make the best possible application of science to the solution of crime and, in the field of human relationships, strive for effective leadership and public influence in matters affecting public safety. The officer shall appreciate the importance and responsibility of his office, and hold police work to be an honorable profession rendering valuable service to his community and his country.



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CANONS OF POLICE ETHICS

L. This procedure is to be used in conjunction with Department standards, orders, values and other relevant polices and procedures.



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GOALS AND OBJECTIVES

Section: 1
Chapter: 1
Article: 4

DEPARTMENT GOAL

The Rio Rancho Police Department provides for police protection, law enforcement, investigation and prevention, and the maintenance of order in our community. To provide these basic public safety functions, the Department maintains an infrastructure of operational, administrative and support activities. The Department's Goal is to meet its responsibilities to the citizens of Rio Rancho by providing the best professional law enforcement, public safety and welfare services available by managing the Department's resources in the most effective and efficient manner.

DEPARTMENT OBJECTIVES

The principal objectives of the Rio Rancho Police Department are the preservation of the peace and maintenance of order; the prevention and detection of crime; the apprehensions of offenders; the protection of persons and property under the laws of the United States Constitution, the New Mexico State Constitution, the laws of the State and the ordinances of the City of Rio Rancho; and the performance of the multitude of tasks and functions relating to public welfare and safety. For these purposes, the police are entrusted with legal authority. In the exercise of this power, service, justice and fundamental fairness should be the actuating motives.

To achieve success, the Department must constantly strive to win and retain the confidence of the citizens it serves. This can be accomplished by an earnest endeavor on the part of all personnel to perform their duties in accordance with the Department's Mission, Values and Vision statements; and conducting themselves in a professional and exemplary manner in adherence to the Department's Code of Conduct in order to build a sense of public wellbeing in our community.

Police officers should remember that in the execution of their duties, they act not for themselves but for the public. Officers should adhere to the principals of Community Policing, Problem Solving, Constitutional Policing, Procedural Justice and Police Legitimacy in the interest of cultivating trust and confidence with the public.

STRATEGIC PLAN

The Department will develop and update a 5 year Strategic Plan In order to accomplish its overall Goals and Objectives. The Strategic Plan identifies priority initiatives for the agency and serves as a "blueprint" for improving the delivery of service to the community. The Department's primary goals for 2015-2019 are as follows:

- Goal 1: Improve crime prevention, crime repression and delivery of quality police service.
- Goal 2: Enhance the agency's performance and accountability.
- Goal 3: Strengthen the Department's recruiting, selection and officer retention processes.
- Goal 4: Strengthen relationships with law enforcement agencies, community partners and victim advocates.
- Goal 5: Improve trust between the Department and the people we protect and serve in order to maintain the stability of our community, the integrity of our criminal justice system and the effective delivery of police services.

ANNUAL UPDATING OF GOALS AND OBJECTIVES

In order to accomplish the Department Goals and Objectives, the Department will participate in the formulation of goals and objectives for each organizational component. The goals and objectives concept will serve as a guide for all Department personnel in order to attain the highest level of service to the community in accordance with the agency's Mission Statement. Each organizational component will undergo an annual review of its goals and objectives for updating and other modifications as needed under the direction of the component's supervisory personnel. Goals and objectives will be made available to all Department personnel through the annual Performance Evaluation process, Standards and Procedures and by special Directives and Memorandums.



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STANDARDS OF CONDUCT

GENERAL STANDARD

MOS shall conduct themselves in a manner that is proper and appropriate in accordance with their position, status and responsibility. MOS shall control their behavior and actions to avoid any situation, which tends to reflect negatively on them, the Department and/or the City of Rio Rancho.

Conduct that is inconsistent or in conflict with the Department's values negatively affect its reputation. Inappropriate conduct detracts from the Department's ability to effectively and efficiently protect the public and perform its essential business affairs. Therefore, MOS shall conduct themselves at all times in a manner consistent with the standards of this policy.

STANDARDS AND PROCEDURES

A. Obedience to Governmental Authority

1. MOS shall not violate any law; ordinance; or Department regulation, lawful order, procedure or value.
 - a. MOS shall promptly obey any lawful orders of a ranking MOS, to include orders relayed by another MOS.
 - b. MOS who are given an order, which is in conflict with a previous order, rule, regulation or directive shall respectfully inform the ranking MOS issuing the order of the conflict.
 - 1) If the ranking MOS issuing the order does not alter or retract the conflicting order, the order shall stand. Under these circumstances, the responsibility for the conflict shall be upon the ranking MOS. MOS shall obey the conflicting order and not be held responsible.
 - 2) MOS shall not obey any order which they know or should know would require them to commit any illegal act. If in doubt as to the legality of an order, MOS shall request the issuing supervisor to clarify the order or to confer with higher authority.
2. MOS shall notify their immediate supervisor as soon as possible, if they are arrested, convicted or are being investigated for any traffic or criminal offense.
3. MOS shall not intentionally engage in conduct contrary to the values of the Department.

B. Personal Conduct

1. While in the performance of duty, MOS shall be courteous, tactful, control their tempers, exercise patience and discretion, and conduct themselves in a manner that fosters cooperation and professionalism.
2. MOS shall not use boisterous, coarse, violent, profane or insolent language or gestures, and shall not express any prejudice concerning race, religion, sex, politics, national origin, age, lifestyle or similar personal characteristics.
3. MOS shall not explicitly or implicitly ridicule, mock, deride or belittle any person, or make unwanted offensive comments or offensive jokes.
4. Sexual harassment (e.g., unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature) is strictly prohibited.
 - a. Submission to such conduct shall not be made either explicitly or implicitly a term or condition of employment.
 - b. Submission to or rejection of such conduct by an MOS shall not be used as the basis for employment decisions affecting that MOS or another.
 - c. Any conduct that has the purpose or effect of unreasonably interfering with an MOS's work performance or creating an intimidating, hostile, or offensive work environment is strictly prohibited.
 - d. Unwanted physical touching will be prohibited unless required in the performance of duty.
 - e. MOS shall not keep or post any pornographic or suggestive photographs, illustrations or cartoons in any work area.

5. Conduct Unbecoming

- a. MOS shall conduct themselves at all times, both on and off-duty, in such a manner as to reflect favorably on the Department.
- b. Conduct unbecoming an MOS shall include behavior which tends to destroy the Department's public respect, tends to bring the Department into disrepute or reflect discredit upon the MOS as a member of the Department or which tends to impair the operation or efficiency of the Department or MOS.
- c. MOS shall not participate in any incident involving moral turpitude that tends to impair their ability to perform as public safety employees.



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Section: 1
Chapter: 1
Article: 5

STANDARDS OF CONDUCT

C. Accountability, Responsibility and Truthfulness

1. MOS are directly accountable for their actions through the chain of command to the Chief of Police.
2. MOS shall cooperate fully in any internal investigation or inquiry and provide complete and accurate information.
3. MOS shall be accurate, complete and truthful in all matters concerning the operations of the Department, unless the information requires confidentiality as authorized by the Department.
4. MOS shall accept responsibility for their actions without attempting to conceal, divert or mitigate their true culpability, or engage in efforts to thwart, influence or interfere with any investigation or inquiry.
5. Failing to be truthful to a supervisory officer, or during an internal investigation or inquiry, may be grounds for termination.

D. Use of Alcohol or Drugs

1. MOS shall not report to duty while impaired by alcohol, medication or other substances, unless authorized by the Chief of Police.
 - a. MOS shall advise their supervisor of the known side effects of such medication, and the period of use.
 - b. Supervisors shall document this information in a memorandum and forward through the chain of command to the Chief of Police.
 - c. MOS may be temporarily reassigned to other duties, where appropriate.
2. MOS shall notify their immediate supervisor when required to use medication that has the potential to impair job performance.
3. MOS who unintentionally ingests, or is made to ingest, a controlled substance shall immediately report the incident to their supervisor so that the appropriate action may be taken to ensure the MOS's health and safety.
4. MOS shall not report to duty with an odor of alcoholic beverage on his/her breath or consume alcoholic beverages during their tour of duty, unless authorized by the Chief of Police when a particular assignment dictates.
5. Alcoholic beverages shall not be served or consumed in a City-owned vehicle or facility.
6. MOS having a reasonable basis to believe that another employee is illegally using or in possession of a controlled substance, or on-duty while impaired by alcohol, medication or other substances, shall immediately report the facts and circumstances to their supervisor.
7. Off-duty sworn MOS shall refrain from consuming intoxicating beverages to the extent that it results in obnoxious or offensive behavior which tends to discredit them and the Department.
8. Off-duty MOS shall not consume alcohol to the extent that it renders the MOS unfit to report for their next regular tour of duty or impairs their on-duty performance.

E. Gifts, Gratuities, Bribes, or Rewards

1. MOS shall not accept any bribes.
2. MOS shall not solicit or accept any gift or donation from any person, business, or organization, unless the sole purpose is to benefit the Community, City or Department and it is approved by the Chief of Police.
3. MOS shall not solicit or accept from any person, business, or organization, any gift or gratuity, to include money; tangible or intangible personal property; food; beverage; loan; discounts; promise; service; favors; privileges or entertainment; for the benefit of MOS or the Department, if there is an indication that the person, business or organization:
 - a. Seeks to influence action of any official nature or seeks to affect the performance or non-performance of an official duty, or
 - b. Has an interest that may substantially affect, directly or indirectly, the performance or non-performance of an official duty.
4. MOS shall not purchase, convert to their own use, or have claim to any found, impounded, abandoned, or recovered property, or any property held as evidence.
5. MOS shall not accept any reward for service rendered from any citizen or private entity while MOS was engaged in the performance of duty, unless the reward has been authorized by the Chief of Police.
 - a. Generally, plaques, certificates or other memorabilia of appreciation are appropriate.
 - b. The reward for service shall not have a substantial market value as determined by the Chief of Police.



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F. Abuse of Position

1. MOS shall not coercively use their official position, official identification cards or badges:
 - a. For personal or financial gain;
 - b. For obtaining privileges not otherwise available to them except in the performance of duty; or
 - c. For avoiding consequences of illegal acts.
2. MOS shall not use their position or their authority to resolve personal grievances, except in exigent circumstances. In all other circumstances, MOS shall notify on-duty personnel to intervene.
3. MOS shall not lend to another person their identification cards or badges, or permit them to be photographed or reproduced without the approval of the Chief of Police.
4. MOS shall not authorize the use of their names, photographs, or official titles that identify them as MOS, in connection with testimonials or advertisements of any commodity or commercial enterprise, without the approval of the Chief of Police.
5. MOS shall not make false accusations of a criminal or traffic charge.
6. MOS shall not use their official position, official identification cards or badges for sexual favors.
7. MOS shall not maintain files or duplicate copies of a confidential nature or information, either manual or electronic, that is not normally available to the public at his/her residence or other locations outside the confines of the Department unless authorized by the Chief of Police.
8. MOS shall not copy files or gather information for personal reasons unless MOS obtains that information through the same processes as the general public.
9. MOS shall not conduct investigations or administrative inquiries unless authorized by their supervisory officer.

G. Interference

1. MOS shall not interfere with cases being investigated by other MOS of the Department or by any other governmental agency unless:
 - a. Ordered to intervene by a supervisor, or
 - b. The intervening MOS believes beyond a reasonable doubt that a manifest injustice would result from failure to take immediate action.
2. MOS shall not undertake any investigation or other official action not part of their regular duties without obtaining permission from their supervisor unless the exigencies of the situation require immediate action.

H. Neglect of Duty

1. MOS shall not read, play games, watch television or otherwise engage in entertainment while on-duty, except as may be required in the performance of duty or as otherwise authorized.
 - a. MOS may watch television during physical training, breaks, mealtime, or as otherwise authorized by an on-duty supervisor. On-duty supervisors may authorize television viewing for MOS performing station duty only when:
 - 1) MOS's duty is either completed or substantially completed, and
 - 2) The purpose of which is to provide MOS an opportunity for a needed rest.
 - b. Videotapes other than Departmental training tapes shall not be used while on-duty.
2. MOS shall not engage in any activities or personal business, which would cause them to neglect or be inattentive to duty, nor shall MOS conduct secondary employment while on-duty.
3. MOS shall not leave their assigned duty posts during a tour of duty except when authorized by proper authority or during an authorized break.
4. MOS shall remain awake and alert while on-duty, unless otherwise authorized. If unable to do so, they shall immediately report to their supervisor, who shall determine the proper course of action.
 - a. MOS on a 24-hour shift are authorized sleep time between the hours of 2000 and 0600 hours.
 - b. Sleep time shall be regulated by the supervisor, and it can be interrupted or adjusted to accommodate a call for service.



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5. MOS shall not refuse or be unwilling to perform a lawful duty or assigned task.

I. Unsatisfactory Performance

1. MOS shall maintain sufficient competency to properly perform their duties and assume the responsibilities of their positions.
2. MOS shall perform their duties in a manner, which will maintain the highest standards of efficiency in carrying out the functions and objectives of the Department.
3. Unsatisfactory performance may be demonstrated by:
 - a. A lack of knowledge of the application of laws required to be enforced.
 - b. The failure to conform to work standards established for the MOS's rank, grade, or position.
 - c. The failure to take appropriate action on the occasion of a crime, disorder, or other condition deserving attention.
 - d. Repeated evaluations demonstrating a need for improvement.
 - e. A written record of repeated infractions of rules, regulations, procedures, memoranda or orders of the Department.
 - f. The lack of good judgment in decisions or actions.

J. Use of Sick or Other Leave

1. MOS shall not feign illness or injury, falsely report themselves ill or injured, or otherwise deceive or attempt to deceive any official of the Department as to the condition of their health.
2. MOS shall not abuse or misuse sick time hours; sick time hours (to include FMLA) shall not be used for other than their intended purposes.
3. MOS who use sick leave are not eligible for overtime, and may not be eligible to work secondary employment. MOS shall restrict their movement during the time they would otherwise be on-duty to places such as the doctor's office.
4. MOS who use FMLA leave are not eligible for overtime or secondary employment not previously authorized.
5. MOS who use sick or other leave shall make the proper notification to their supervisor as well as any court, hearing official or training personnel.

K. Availability for Duty

1. MOS shall not be absent from duty unless their leave has been approved.
2. MOS shall report for duty at the time and place required by assignment, orders, or judicial notice and be physically and mentally fit to perform their duties.
3. MOS shall be properly equipped and cognizant of information required for the proper performance of duty so that they may immediately assume their duties.
4. On-duty uniformed MOS of sergeant rank and below shall report their location upon exiting/entering their vehicle to Communications when their absence from the vehicle will exceed 10 minutes. When the absence is less than 10 minutes, MOS shall monitor Communications, via portable radio, and remain available for call.

L. Personal Appearance

1. MOS shall maintain personal hygiene so as not to be construed to be offensive or inappropriate, i.e., offensive breath or body odor, dirty unkempt fingernails, grease on arms or face, etc.
2. Except when acting under proper specific orders from a supervisory MOS, on-duty uniformed and/or sworn MOS shall maintain a neat, well-groomed appearance and shall style their hair according to the following guidelines.
 - a. Male MOS shall maintain their hair in a clean, combed and neat fashion.
 - 1) MOS's hair shall not be worn longer than the top of the shirt collar at the back of the neck when standing with the head in a normal posture.
 - 2) The bulk, length, or height of the hair shall not interfere with the normal wearing of all standard headgear.
 - 3) Hair shall not cover the ears in any manner.



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- b. Male MOS's sideburns shall be neatly trimmed, rectangular in shape, and shall not extend lower than the bottom of the ear lobe. No "Mutton Chops" or bushy side burns are permitted.
 - c. Male MOS shall be clean-shaven except that they may have mustaches, which do not extend below the lower lip line when the mouth is closed. Mustaches shall be neatly trimmed, and "handle bar" type mustaches are not permitted.
 - d. Female MOS's hair shall be maintained in a clean, combed and neat fashion.
 - 1) Uniformed female MOS hair shall be styled in a fashion (i.e., bun or ponytail style) not to extend more than two inches below the shirt collar at the back of the neck when standing with the head in normal posture.
 - 2) The bulk, length, or height of the hair shall not interfere with the normal wearing of all standard headgear, and shall not fully cover the ear.
 - 3) MOS may wear clips, pins or bows to secure their hair, which compliment the uniform in size, style and color.
 - e. MOS shall not have exotic hairstyles such as Mohawks, dreadlocks, cornrows or hair extensions.
 - f. MOS shall not have exotic haircuts such as sculptured cuts, words, numbers, or lines that leave the hair not blended.
 - g. MOS shall not have two-toned contrasting hair color that is not a natural hair color. Hair coloring shall look natural.
 - h. MOS are permitted to wear wigs or hairpieces if they conform to the above standards for natural hair.
 - i. The Chief of Police may consider requests for exception to the hair and grooming standards due to bona fide, commonly accepted and formally recognized religious or medical reasons.
 - 1) MOS shall request exception in writing through the chain of command to the Chief of Police.
 - 2) MOS shall bear the burden of proof for the request, and may be required to submit additional documentation as needed for verification.
3. On-duty MOS shall maintain a neat, well-groomed appearance, and not wear jewelry, cosmetics, or clothing that could interfere with their assignment.
- a. On-duty male uniformed and/or sworn MOS shall not wear earrings.
 - b. On-duty female uniformed and/or sworn MOS may wear one pair of earrings; however, earrings shall be of a post design and not more than 1/2 inch in diameter and shall compliment the uniform.
 - c. Any other type of visible body piercing jewelry including tongue piercing shall not be worn by on-duty uniformed and/or sworn MOS.
4. On-duty and/or sworn MOS shall not wear contact lenses of unnatural eye coloring or design.
5. In order to maintain uniformity, MOS may be ordered to cover body tattoos or other voluntary cosmetic body alterations when they are found to be objectively offensive or cause the MOS to have an unprofessional appearance. MOS shall ensure that all body tattooing or other voluntary cosmetic body alterations are applied on parts of the body that can be covered by wearing normal uniform shirts or pants.
6. Due to the nature of certain special assignments, the Chief of Police may waive all or part of this subsection based on the assignment, or for bonifide religious or medical reasons.

M. Personal and Organizational Associations

- 1. MOS shall avoid continuous associations or dealings with persons whom they know, or should know, are persons with a reputation in the community or the Department for any involvement in felonious criminal behavior.
- 2. MOS may associate with persons with a criminal reputation when it is necessary in the performance of official duty, or when it is unavoidable because of familial relationships.
- 3. MOS shall not become an active member in any organization that advocates, incites or supports criminal acts or conspiracies; that tends to create a conflict of interest; or which tends to bring the Department or MOS into disrepute.
- 4. Except in the performance of duty, MOS shall not frequent any establishment or place, which has a reputation to regularly conduct illegal activity.
- 5. Intimate or Romantic Relationships
 - a. For the purposes of this subsection, an intimate or romantic relationship is a relationship where parties engage in sexual relations with one another or when their intent is to seek the romantic affection of the other. A close friendship is not considered an intimate or romantic relationship.



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- b. Intimate or romantic relationships between an MOS and any other MOS assigned to supervise or mentor the performance of that MOS, e.g. direct supervisors, special event supervisors, FTO's, trainers, etc. are prohibited.
- c. If a prohibited intimate or romantic relationship develops, one or both of the MOS shall:
 - 1) End the relationship,
 - 2) Not engage in certain special events or functions,
 - 3) Be transferred to another position based on Department need, or
 - 4) Resign or be terminated.
- d. Any intimate or romantic relationship that adversely affects the operations or efficiency of the Department shall be prohibited.

N. Public Statements and Appearances

1. MOS shall not publicly slander the City, officials of the City, the Department, its policies, or other MOS by speech, writing or other expression, where such speech, writing, or other expression is defamatory, obscene, unlawful, undermines the effectiveness of the City or the Department, interferes with the maintenance of discipline, or is made with careless disregard for truth.
2. MOS shall not address public gatherings, appear on radio or television, prepare any articles for publications, act as correspondents to a newspaper or a periodical, release or divulge investigative information or any other matters of the Department gained by reason of their position, where such release of information could reasonably be considered to represent the views of the Department without first acquiring authorization from the Chief of Police.

O. Political Activity

1. MOS are prohibited from engaging in political activity that is unlawful or creates a conflict of interest.
2. MOS shall not use their official capacity to influence, interfere with or affect the results of a political campaign or an election.
3. MOS are prohibited from engaging in any political activity while on-duty, except for voting. MOS shall be guided by the following examples of prohibited political activities during working hours:
 - a. Posting campaign literature, or
 - b. Soliciting political funds, contributions or signatures to support candidates, parties or ballot measures.
4. MOS may be authorized by the Chief of Police to provide information on Department or City sponsored bond or other ballot issues.

P. Labor Activity

1. MOS shall have the right to join labor organizations, but nothing shall compel the Department to recognize or to engage in collective bargaining with any such labor organizations except as provided by law.
2. MOS providing emergency services shall not engage in strike. "Strike" includes the concerted failure to report for duty, willful absence from one's position, unauthorized holidays, sickness unsubstantiated by a physician's statement, the stoppage of work, or the abstinence in whole or in part from the full, faithful and proper performance of the duties of employment for the purposes of inducing, influencing or coercing a change in conditions, compensations, rights, privileges or obligations of employment.

Q. Endorsements and Referrals

1. MOS, while acting in an official capacity, shall not recommend or suggest in any nature the employment or procurement of a particular product, professional service, or commercial service (such as an attorney, ambulance or towing service, bondsman, mortician, etc.).
2. In situations involving ambulance or towing service, when such service is necessary and the person needing the service is unable or unwilling to procure it or requests assistance, MOS shall proceed in accordance with the appropriate lists.

R. Requests for Assistance

1. When any person requests assistance, or makes complaints or reports, either by telephone or in person, all pertinent information shall be obtained in an official and courteous manner by the MOS.
2. When any person requests a written report, MOS shall promptly complete the appropriate report forms.
3. All investigations shall be completed properly and judiciously.



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S. Use of Tobacco

1. MOS shall not smoke cigarettes, cigars, or pipes when:
 - a. In a City owned vehicle or facility,
 - b. In public view actively performing their duty;
 - c. To do so would require them to leave their assignment or post;
 - d. Dealing with a member of the public on a Department related matter; or
 - e. On-duty and the odor and smoke emitted could adversely affect any other individual.
2. On-duty MOS shall conform to the following when using snuff or chewing tobacco:
 - a. MOS shall not spit when in public view,
 - b. MOS shall use the appropriate personally owned receptacle when disposing of chew or any of its by products, and
 - c. MOS shall not use an amount that obviously alters the user's appearance.

T. Meal Breaks

1. MOS shall be permitted to suspend their assignment, subject to immediate call at all times, for the purpose of having a meal or break during their work day.
 - a. Breaks shall be in accordance with DPSA or AFSCME Agreement while working a normal workday.
 - b. No more than three marked vehicles shall be parked at any one eating establishment at the same time for the purpose of a break.
 - c. No more than four uniformed MOS shall be permitted at any one eating establishment at the same time while on a break unless otherwise approved by a supervisor.
2. MOS shall report their location to Communications immediately upon beginning a break and shall report immediately upon completing their break.

U. Identification

1. On-duty sworn MOS shall carry their commission card(s), except when impractical or dangerous to their safety or to an investigation.
2. On-duty sworn law enforcement MOS shall carry their badge and commission card(s), except when impractical or dangerous to their safety or to an investigation.
3. Off-duty sworn MOS shall carry their commission card(s) when driving a Department vehicle.
4. Off-duty sworn law enforcement MOS shall carry their badges and commission card(s) when carrying an authorized weapon or driving a Department vehicle.
5. MOS shall furnish their name and identification number to any person requesting that information, when they are on-duty or acting in an official capacity, except when the withholding of such information is necessary for the performance of police duties or is authorized by proper authority.
6. MOS, when signing official documents or reports, shall do so in a legible manner, or shall print their name legibly next to their signature.

V. Telephone and Addresses

1. MOS shall have a working telephone (mobile or landline) in his or her residence. MOS shall not turn off his or her telephone (mobile or landline) with the intent to avoid contact by the Department.
2. MOS shall immediately report any changes of telephone numbers or addresses to their supervisor.

W. Search in the Workplace & Expectation of Privacy

1. MOS shall not store personal information or belongings with an expectation of personal privacy in such places as lockers, desks, Departmental vehicles, file cabinets, computers or similar areas that are under the control and management of the City. The Chief of Police or his designee may inspect or enter these or similar areas for the purpose of inspections, meeting operational needs, internal investigations, or other reasons.



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2. MOS may only store personal property with an expectation of privacy in such areas as personally owned vehicles, handbags, gym bags, etc. These items shall not be subject to search unless authorized by law.
- X. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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OATH OF OFFICE

GENERAL STANDARD

Police Officers are granted their authority by the Rio Rancho City Charter which includes the powers, duties and responsibilities relating to law enforcement. Thus the power granted the police is immense and requires adherence to the highest ethics of office and commitment to follow the principles of law.

STANDARDS AND PROCEDURES

- A. The Oath of Office and the Code of Ethics are basic standards setting forth the commitment of the Department, and each individual Officer, to maintain the highest level of professional conduct and ethics while serving as a Rio Rancho Police Officer. Before beginning to carry out his/her duties, a person shall be appointed a Police Officer of the Rio Rancho Police Department and will take and subscribe to the following Oath of Office.
- B. I, (OFFICERS NAME), having been appointed to the office of (POSITION) in the City of Rio Rancho, in the State of New Mexico, do solemnly swear that I will support the Constitution of the United States, the Constitution and Laws of the State of New Mexico, and the Ordinances, Resolutions and Charter of the City of Rio Rancho. Furthermore, I will faithfully and impartially discharge the duties of this office according to the Constitution and Laws of this State to the best of my ability so help me God.



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DEFINITIONS

<u>Acting</u>	An MOS temporarily serving in a higher rank or position with all the authority, responsibilities and duties of the higher rank or position.
<u>ACO</u>	Animal Control Officer.
<u>Aggrieved</u>	A term used to refer to a City employee upon his or her filing of a formal grievance.
<u>Annual leave</u>	Vacation period granted each year.
<u>Area</u>	A geographical sub-division to which the City is divided for the purpose of patrol and response to calls for service.
<u>Association</u>	The collective bargaining unit representing law enforcement and Communications Division.
<u>Body armor</u>	A protective vest designed to afford a specific level of ballistic shielding according to manufacturer specifications.
<u>Business day</u>	Monday through Friday from 08:00 hours until 17:00 hours unless otherwise designated as a City approved holiday.
<u>Chain of command</u>	The unbroken line of communication and authority from the Chief of Police down to the lowest ranking position or any portion thereof.
<u>Chain of evidence</u>	The continuity of the custody of physical evidence, from time of original collection to final disposition, which may be introduced in a judicial proceeding.
<u>Chief of Police</u>	Chief executive officer and administrative head of the Rio Rancho Police Department
<u>CI</u>	Cooperating Individual.
<u>City limits</u>	Geographic boundaries of the City of Rio Rancho.
<u>Civilian employee</u>	Personnel of the Department who do not have police powers and who have not taken the oath of an officer.
<u>Classified employee</u>	Full time, regular employee of the City of Rio Rancho beneath the rank of the administrative head of a Department.
<u>CO</u>	Communications Operator.
<u>Code of ethics</u>	Policy guide establishing principles and standards for the proper conduct of each member of the Department.
<u>Commanding officer</u>	An officer designated by the Chief of Police to command a particular activity.
<u>Complaint</u>	An outside request for service or action from the Department, a protest or a formal allegation against the actions of an MOS.
<u>Contemporaneous</u>	Existing, occurring, or originating at the same time.
<u>County (Sandoval)</u>	One of the civil divisions of the State of New Mexico for judicial and political purposes.
<u>Day off</u>	Designated twenty-four-hour period when an individual is not scheduled to report to work.
<u>Department</u>	The Rio Rancho Police Department
<u>Designee</u>	A person designated with authority by a higher ranking officer to act in that officer's absence. The authority of the Chief of Police shall be passed to another in the Chief's absence.
<u>Detail</u>	A short term assignment.
<u>Dismissal</u>	Termination of employment by the employer.
<u>Disorderly</u>	Any behavior that is offensive or disrupts the public order, or behavior that results in an abnormal physical or mental condition.
<u>Disorderly Conduct</u>	Behavior that is violent, abusive, indecent, profane, boisterous, unreasonably loud or otherwise which tends to disturb the peace, or maliciously disturbing, threatening, or, in an insolent manner, intentionally touching any house occupied by any person.
<u>District</u>	A geographical area within a sector.



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<u>Drug test</u>	The compulsory production and submission of urine by MOS in accordance with Department procedure, for chemical analysis to detect prohibited drug usage.
<u>DWI</u>	Driving While Intoxicated.
<u>EEOC</u>	Equal Employment Opportunity Commission.
<u>Emergency leave</u>	Leave with pay granted for short periods in the case of serious illness or death in the immediate family of a member or employee.
<u>Employment</u>	The provision of service or product, to include but not limited to self-employment, whether or not in exchange for a fee or other service. Employment does not include volunteer charity work.
<u>EMS</u>	Emergency Medical Service.
<u>EMT</u>	Emergency Medical Technician.
<u>ERT</u>	Emergency Response Team.
<u>Evidence room</u>	Facilities utilized by the Department to secure and store evidence or property.
<u>Exigent circumstances</u>	An emergency condition. An event or a combination of circumstances that requires an immediate action or remedy.
<u>Extra-duty Employment</u>	Employment offered through the Department as a means to fulfill a private interest. Services that are requested, and paid for, by another entity.
<u>Field investigator</u>	A uniformed investigator specifically trained to gather evidence and process a crime scene. In addition to patrol duty, field investigators are responsible for the recognition, identification, collection and preservation of evidence at a crime scene.
<u>Grievance</u>	A formal complaint of an employee concerning an action taken by management which resulted in loss of pay or seniority, or in an oral or written reprimand. This term will generally be interpreted broadly.
<u>Hazardous material</u>	Any substance that leaves its original container and has the potential to cause harm to persons or the environment.
<u>Haz Mat</u>	Hazardous Material.
<u>High speed pursuit</u>	Traveling in excess of 10 miles per hour over the posted speed limit when pursuing a fleeing violator.
<u>IC</u>	Incident Commander.
<u>ICS</u>	Incident Command System.
<u>Incompetent</u>	Incapable of satisfactorily performing assigned duties.
<u>Inspection</u>	An examination to insure that appearance, uniforms, equipment, duties, operations, etc. conform to established standards.
<u>Insubordination</u>	Willful disobedience of any order lawfully issued by a superior officer.
<u>JPO</u>	Juvenile Probation Officer.
<u>Juvenile</u>	Any person under the age of eighteen years.
<u>Leave of absence</u>	Period of time during which a member or employee is excused from active duty with or without pay.
<u>Lethal</u>	Capable of causing death.
<u>Lethal force incident</u>	A line of duty incident where shooting or use of force causes death or bodily injury to a MOS or another.
<u>Life-threatening</u>	Circumstances, which would lead a reasonable person to believe that an expression or event has the propensity to inflict a lethal injury.
<u>Limited duty</u>	A special work assignment delegated a MOS due to their unhealthy medical condition, injury, illness, or pregnancy.
<u>Line of duty injury</u>	An injury received in the course of a MOS' performance of duty.



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DEFINITIONS

<u>LZ</u>	Landing Zone.
<u>MCI</u>	Multi-Casualty Incident.
<u>Military leave</u>	That period of time during which a member or employee is granted leave when called to perform active military service.
<u>MOS (Member Of Service)</u>	All personnel employed by the Department and adjutant personnel that assist the Department in fulfilling its mission.
<u>Moral turpitude</u>	Behavior that violates the moral standards of the community.
<u>MVD</u>	Motor Vehicle Department.
<u>NCIC</u>	National Crime Information Center.
<u>Negligence</u>	The action or omission of action contrary to that which a reasonable and prudent person would perform under similar circumstances.
<u>Negligence of duty</u>	Failure to perform assigned duties or to respond to a situation requiring action.
<u>Oath of office</u>	Oath sworn to by a member at the time of his or her commissioning.
<u>Off-duty</u>	That period of time when MOS is not on duty.
<u>Off-duty employment</u>	Any employment MOS engages that is not compensated by the Department while not on-duty.
<u>Offense/Incident</u>	A detailed written account of a reported offense, incident or situation.
<u>On-duty</u>	That period of time when scheduled or called upon by a supervisor to perform official duties, or when a situation requires immediate action of an MOS to act in an official capacity, pursuant to Department procedure, to ensure public safety.
<u>OR (Own Recognizance)</u>	An obligation and promise undertaken by a person to appear in court on a particular day.
<u>Order</u>	Instruction or directive, either written or oral, issued to a MOS or a group of MOS in the course of duty.
<u>Personnel</u>	A generic term, which includes sworn officers and civilian employees of the Department.
<u>Physical evidence</u>	Any substance or material found or recovered to prove or disprove any issue in question in a criminal, civil, or administrative proceeding or investigation.
<u>PIO</u>	Public Information Officer.
<u>Policy</u>	A general statement, which guides the organization and its employees in the direction of an organizational goal.
<u>PTSD</u>	Post-Traumatic Stress Disorder; an anxiety disorder that can result from exposure to short-term severe stress, or a long-term buildup of repetitive and prolonged milder stress.
<u>Prima facie</u>	At first sight; on the face of it. A fact presumed to be true unless disproved by some evidence to the contrary.
<u>Probability</u>	A likely outcome when combining a set of circumstances and conditions to another.
<u>Probationary employee</u>	A full time, classified city employee who has not yet completed the trial phase of employment and may be dismissed without an appeal.
<u>Procedure</u>	Officially approved method of handling, responding to, or dealing with any given situation.
<u>Probable cause</u>	An apparent state of facts found to exist upon reasonable inquiry (an inquiry which is convenient and proper), which would induce a reasonably intelligent and prudent person to believe, in a criminal case, that the accused person committed the crime charged, or, in a civil case, that a cause of action existed.
<u>Promotion</u>	Change in the employment status of a member or employee to a position of greater responsibility or higher classification.
<u>Reasonable</u>	Being synonymous with rational, fair, proper, just, moderate, suitable under the circumstances.



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STANDARDS AND PROCEDURES

Section: 1
Chapter: 2
Article: 1

DEFINITIONS

<u>Reasonable suspicion</u>	That quantity of proof or evidence that is more than a hunch, but less than probable cause. Reasonable suspicion must be based on specific, objective facts and any rationally derived inferences from those facts about the conduct of an individual, or other circumstances, that would lead the reasonable person to suspect that an individual is or was in violation of law.
<u>Secondary Employment</u>	Off-duty or extra-duty employment which also includes in-kind employment, i.e. exchanging services for monetary gain.
<u>Sick leave</u>	Leave with pay granted to a member or employee as stated in the personnel regulations generally related to illness.
<u>SOP</u>	Standard Operating Procedure. Also may refer to the Standards and Procedures Manual.
<u>Specialized unit</u>	A group of MOS within the Department that is designed to perform a specific function, such as SWAT, Haz-Mat Team, D.A.R.E., Narcotics, etc.
<u>Special duty</u>	Duties assigned to a MOS by a competent authority, which are not normally assigned to him.
<u>Supervisor</u>	An MOS assigned to a position having day-to-day responsibility for supervising subordinates, or who is responsible for commanding a work element.
<u>Supplemental report</u>	Report made in addition to and relating to an initial offense/incident report.
<u>Suspension</u>	Disciplinary action placing a member or employee in a non-paid, non-duty status, for a specific period of time.
<u>SWAT</u>	Special weapons and tactics.
<u>Sworn MOS</u>	Department employees who have been formally vested with full law enforcement powers and authority, or other authority to enforce municipal ordinances or codes
<u>Termination</u>	The resignation, retirement, or dismissal from employment, or death of a member or employee.
<u>Tour-of-duty</u>	Designated time during which a member or employee is scheduled for duty.
<u>Traffic</u>	The movement of vehicles or pedestrians through an area or along a route. This term may also be used as a reference to conversation on a radio frequency.
<u>Unclassified employee</u>	The administrative head of a Department and all part time, temporary, seasonal or probationary employees.
<u>Uniformed personnel</u>	All Departmental employees wearing an issued Department uniform.
<u>USA</u>	The United States of America
<u>Written/verbal orders</u>	All Department orders issued by the Chief of Police and/or authorized personnel.



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Chapter: 1
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PERFORMANCE STANDARDS

STANDARDS AND PROCEDURES

An MOS shall support, protect, defend and obey the Constitutions and laws of the United States, State of New Mexico and the City of Rio Rancho. He or she will stay informed of the criminal, traffic, and other public safety problems in an assigned area and the entire City of Rio Rancho. An MOS shall take whatever lawful action is necessary to prevent and reduce crime, traffic crashes and perform other public safety responsibilities using all of the imagination, initiative and ingenuity at his or her disposal, attempting to gain willful compliance with the law whenever possible.

The MOS shall give the City of Rio Rancho an honest day's work for a day's pay, recognizing and accepting the fact that the Department will not tolerate laziness. The MOS may be required to work long hours to accomplish the mission of the Department. The MOS shall remain willing to accept additional Departmental duties and responsibilities, and the MOS shall accept the responsibilities of leadership in public safety circles whenever required or requested.

The MOS shall never look the other way when a law has been violated or when a citizen is in need of aid and assistance. The MOS shall walk the extra mile to gain cooperation with other public officials. The MOS shall recognize his or her responsibility in civic affairs and, within the limits of the MOS' position, will support responsible and worthwhile community projects.

The MOS shall not criticize, but also never hesitate to offer constructive criticism, coupled with positive suggestions.

The MOS shall maintain a positive and productive attitude toward law enforcement while taking pride in the profession. When an MOS is no longer able to honestly abide by the Department's standards, orders, and values, he or she shall, for the good of the Department, resign.



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STANDARDS AND PROCEDURES

INTERNAL INVESTIGATIONS

Section: 2
Chapter: 1
Article: 2

GENERAL STANDARD

The Department may conduct Internal Affairs Investigations in response to Complaints/Notices of alleged MOS misconduct to determine whether the allegations are sustained or not sustained. The Department shall take corrective action, disciplinary action, or administrative sanctions when occurrences of MOS misconduct are sustained.

DEFINITIONS

Misconduct: A violation by an MOS of Department written or verbal rules, regulations, standards, procedures, or orders.

Notice: Any method by which a person makes the Department aware of an alleged act of misconduct by an MOS when the person giving notice was not directly involved in the incident.

Complaint: Any method by which a person makes the Department aware of an alleged act of misconduct by an MOS when the person complaining was directly involved in the incident.

Internal Affairs Investigation: An administrative investigation involving the detailed investigative process of searching for, gathering, reviewing, and examining information or evidence to establish facts and determine the truth concerning a particular event or circumstance.

- Internal Affairs Investigations are primarily conducted for resolution of alleged violations where administrative sanctions could be administered.
- The formalized process shall include all the relevant notices and processes consistent with the Peace Officer's Employer-Employee Relations Act.

STANDARDS AND PROCEDURES

A. Internal Affairs Investigation Assignment

1. The Chief of Police shall have primary supervisory authority to coordinate Internal Affairs Investigations of all allegations of misconduct against MOS, but may delegate the related duties to the Office of Professional Standards or other designee.
2. Internal Affairs Investigations should be assigned to the Internal Investigations Unit.
3. A law enforcement supervisor of higher rank than the accused MOS should be assigned an investigation.
 - a. If the supervisor is unavailable, directly involved in an incident of alleged misconduct, or otherwise unable to be objective, the supervisor shall not be assigned the investigation.
 - b. When the accused MOS's first line supervisor is not assigned the investigation, the next level supervisor shall be the secondary consideration for assignment. If the next level supervisor is the Chief of Police, the investigation shall be assigned to the Internal Investigations Unit.
 - c. If no supervisor within the accused MOS's chain of command can be assigned the investigation, then another supervisor of equal or higher rank than the accused MOS shall be assigned the investigation.
4. The Chief of Police may designate any competent civilian, sworn person, or an investigative team comprised of civilian and/or sworn persons to conduct any investigation.
5. Complaints/Notices that contain allegations of possible criminal misconduct may require a bifurcated investigation.
 - a. The Internal Affairs Investigation and criminal investigation should not be conducted by the same person(s).
 - b. The Internal Affairs Investigation should normally be conducted by the Internal Investigations Unit.
 - c. The criminal investigation should normally be conducted by a Department Detective or a law enforcement supervisor of higher rank than the accused MOS.
6. Internal Affairs Investigations shall not be conducted without prior approval of the Chief of Police or his designee.
7. All traffic crashes involving City vehicles driven by MOS resulting in a fatality or great bodily injury, shall be forwarded to the Office of Professional Standards for initiation of an Internal Affairs Investigation.

B. Responsibilities of the Office of Professional Standards

1. When initiating an Internal Affairs Investigation, the Office of Professional Standards shall draft a Notification Memorandum to the accused MOS describing the nature of the Notice/Complaint the name of the person(s) assigned to conduct the investigation, and the MOS's rights per the current collective bargaining agreement.



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- a. The memorandum shall be signed by the Chief of Police or his designee and forwarded to the person assigned the investigation.
- b. The Office of Professional Standards shall inform the proper MOS of the Internal Affairs Investigation in compliance with the current collective bargaining agreement, except when otherwise ordered by the Chief of Police.
- c. Discreet investigations may be ordered when the Chief of Police has reasonable cause to believe that the notification may compromise the investigative process.

2. The Office of Professional Standards shall:

- a. Assign a control number to each Internal Affairs Investigation.
- b. Maintain a central file for completed investigations in a secured location.

3. When an Internal Affairs Investigation has been completed, the Office of Professional Standards shall:

- a. Submit investigation reports in their entirety to the Chief of Police for his review.
- b. After review by the Chief of Police, submit investigation reports to the Internal Review and Hearing Board when applicable. The Administrative Services Manager shall facilitate the member composition and scheduling of the first meeting.
- c. Upon completion of the Internal Review and Hearing Board's findings and recommendations, return all related documents to the Chief of Police for his final determination.

C. Internal Affairs Investigation Process

1. Upon beginning an Internal Affairs Investigation, the assigned investigator shall deliver the Notification memorandum to the accused MOS unless the Chief of Police has determined that the investigation should remain discreet.
 - a. When the notification memorandum is delivered, the MOS shall be requested to sign the memo acknowledging receipt.
 - b. A copy of the notification memorandum shall be made for the investigation file.
2. When a discreet investigation is conducted, the notification memorandum shall be delivered as soon as practical after the Chief of Police has determined that notification would then not jeopardize the investigative process.
3. Upon completing an Internal Affairs Investigation, the investigator shall not make a disciplinary recommendation. The completed report shall be forwarded to the Administrative Services Manager.
4. MOS conducting an Internal Affairs Investigation shall complete an accurate report. The report shall include:
 - a. A detailed narrative of the incident that caused the Notice/Complaint, an account of the investigative process, information acquired, and factual observations during the process.
 - b. Summaries of all interviews and interrogations.
 - c. Information describing documents and evidence collected.
 - d. Findings regarding the initial allegations or those discovered during the investigation, and a determination of whether or not the MOS violated Department Standards, Policies or Procedures.
 - e. A list of the specific Standards, Policies or Procedures violated, and a justification for each finding.
 - f. Recommendations for further investigation if appropriate.
5. All investigations shall be conducted in an impartial and objective manner so as to discover as much factual information about the incident as practical.
6. An MOS shall be permitted to produce any relevant documents, witnesses, or other evidence to support their case during the investigative process.
7. Complainants accused MOS, witnesses and any other person(s) who may be able to provide relevant information should be interviewed or interrogated.
8. Evidence discovered during an investigation shall be handled in accordance with Department Standards, Policies and Procedures.



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D. Criteria for Interrogations

1. Prior to any interrogation, the accused MOS shall have received notification memorandum describing the nature of the Notice/Complaint and, unless the Chief of Police has determined not to disclose the information, the names of all known persons who gave notice or complained.
2. The MOS shall be read and asked to sign the Administrative Advice of Rights form (Garrison Warning).
3. The MOS shall be required to answer all questions specifically, narrowly and directly related to the performance of their official duty or alleged misconduct.
4. Refusal to comply with an order to answer such questions is a violation of Department Standards, which may subject the MOS to further discipline up to and including termination.
5. Any mandated self-incriminatory admission, or the fruits thereof, obtained as a result of the MOS being ordered to answer questions shall only be used in subsequent administrative proceedings and shall not be used against the MOS in subsequent criminal proceedings.
6. All interrogations shall be conducted while the MOS is on-duty or during his normal waking hours, unless the urgency of the matter requires otherwise.
7. Interrogations shall be conducted at the Department's facilities, unless the urgency of the matter requires otherwise.
8. MOS shall not be subjected to offensive language, nor threatened with transfer, dismissal, or disciplinary action during an interrogation. An investigator or supervisor, as an inducement to answer any questions, shall make no promise or reward.
9. The MOS shall be informed of the person in charge of the interrogation (name and rank) and all other persons present during the interrogation.
10. There shall not be more than two interrogators at any given time.
11. Interrogations shall not exceed two hours, unless the parties mutually consent to an extended period.
12. There shall not be more than two interrogations within a twenty-four hour period, unless the parties mutually consent to additional interrogations, provided that there shall be at least a one-hour rest period between the interrogations.
13. The combined duration of the MOS's work shift and any interrogation shall not exceed fourteen hours within a twenty-four hour period, unless the urgency of the investigation requires otherwise. This section does not apply to FF/EMS personnel on a 24-hour work schedule.
14. MOS shall be allowed to attend to physical necessities as they occur in the course of an interrogation.
15. Interrogations shall be recorded, and interruptions or recesses shall be noted.
16. Interrogations of the MOS under investigation shall be transcribed into written format. An accurate copy of the transcript or recording shall be provided to the MOS, upon MOS's written request, no later than fifteen business days after an investigation has been completed.
 - a. Other interrogations or recorded interviews may be transcribed into written format as needed for investigative purposes.
 - b. Relevant discussions outside the formal interrogation shall be summarized.

E. Labor Representative or Legal Counsel

1. MOS shall be permitted to have legal counsel or a labor representative present during interviews or interrogations.
2. During administrative interviews and interrogations, the legal counsel or labor representative is limited to acting only as an observer. However, the representative may confer with the accused MOS.

F. Special Examinations

1. An MOS under investigation may voluntarily submit to a breath, blood, urine, psychological, polygraph or medical examination if it is believed that such an examination would be beneficial to the MOS's defense. The Department may require such examination upon the order of the Chief of Police when reasonable suspicion exists.
2. MOS may be required to participate in an identification line-up when the line-up is solely for administrative purposes.

G. Search in the Workplace

1. Department property may be searched when there is a need for correspondence, file, report, or equipment in the absence of the MOS having control of that property.



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2. Department owned property, including but not limited to: offices, vehicles, desks, files, lockers, documents, computers, electronic data storage, may be inspected when there is reasonable suspicion that evidence of work-related misconduct will be found therein.

H. Polygraph Examinations

1. A polygraph examination may only be ordered by the Chief of Police when all other reasonable investigative means have been exhausted.
 2. The MOS shall be advised of the reasons for ordering the polygraph examination.
 3. Polygraph examinations shall only be administered by a licensed polygraph examiner.
 4. The questions asked during a polygraph examination shall be narrowly tailored to the issue and follow established or commonly accepted polygraph procedures.
 5. The results of the polygraph examination shall not be announced to the news media or used in judicial proceedings without the consent of the accused MOS.
 6. Refusal to submit to an ordered polygraph examination is a violation of Department Standards, which may subject the MOS to further discipline up to and including termination.
- I. The Chief of Police may authorize, when requested, a copy of the investigation be given to the MOS after the completion of the Internal Affairs Investigation. The MOS must submit a written request to the Chief of Police through the Administrative Assistant.
1. Specific information or the identity of person(s) may be kept confidential with sufficient cause.
 2. The Chief of Police may delay the request when there is sufficient cause to believe it may compromise another investigation or a person's safety. The Chief of Police shall cause the MOS to be notified of the anticipated time delay in receiving the copy.
 3. When copies of recorded interviews other than the accused MOS's are authorized by the Chief of Police for release, the MOS is responsible for:
 - a. Providing blank media for duplication.
 - b. Reasonable costs directly related to the production of the transcript.
- J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

MOS INVOLVED DOMESTIC VIOLENCE / ABUSE INCIDENTS

Section: 2
Chapter: 1
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GENERAL STANDARD

The Department recognizes that the occupation of public safety is not immune from members being involved in domestic violence or abuse incidents. This policy offers a comprehensive, pro-active approach to dealing with MOS involved in domestic violence or abuse incidents with an emphasis on victim safety. It delineates a position of zero tolerance by the Department. It is imperative to the integrity of the profession of public safety service and the sense of trust the City has in DPS that DPS, through the adoption of clear policies, make a definitive statement that domestic violence will not be tolerated. In the process of implementing this policy, the Department will review the records of all employees to determine whether convictions for misdemeanor crimes of domestic violence or valid protection orders exist. If an employee is found to have a conviction or is the subject of a qualifying protection order, the City Attorney shall be consulted immediately regarding continued employment or duty assignment.

In addition to the Department's zero tolerance philosophy, Federal law prohibits a police officer convicted of misdemeanor domestic violence crimes from possessing firearms. Officers found guilty of a domestic violence crime through criminal proceedings shall be terminated.

DEFINITIONS

Domestic abuse shall deem to have occurred when a person commits any of the following against a household member (a spouse, former spouse, family member, including a relative, parent, present or former stepparent, present or former in-law, child or co-parent of a child, or a person with whom one has a continuing personal relationship):

1. Physical harm,
2. Severe emotional distress,
3. Bodily injury or an assault,
4. A threat causing imminent fear of bodily injury by any household member,
5. Criminal trespass,
6. Criminal damage to property,
7. Repeatedly driving by a residence or workplace,
8. Telephone harassment,
9. Stalking,
10. Harassment, or
11. Harm or threatened harm to children defined as a household member.

Protection order refers to any injunction or other order issued by a court, including criminal or civil orders of protection, regardless of form, content, length layout, or name (for the purposes of this policy, definitions shall be consistent with current State Statute § Chapter 40, Article 13 NMSA 1978 – Family Violence Protection Act), issued for the purpose of preventing the following:

1. Violent or threatening acts against another person,
2. Stalking or harassment of another person,
3. Contact or communication with another person, and
4. Physical proximity to another person.

STANDARDS AND PROCEDURES

- A. The Department will adhere to a zero-tolerance policy towards domestic violence involving MOS and will not tolerate violations of this policy. The Department will make training available on domestic violence and the zero-tolerance policy.
 1. Through ongoing partnerships with local victim advocacy organizations, the Department shall develop domestic violence curricula and train law



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enforcement MOS in order to enhance the Department's response to victims.

2. Domestic violence instruction will include:
 - a. Understanding domestic violence,
 - b. Departmental domestic violence response protocol,
 - c. Warning signs of domestic violence by MOS,
 - d. Victim safety, and
 - e. Federal domestic violence laws.
 3. The Department shall use a variety of training techniques including in-service, roll call, FTO, ride-a-longs, and training bulletins to regularly reinforce Standards and Procedures of effective response protocol.
 4. To enhance the effectiveness of the training, the Department should routinely assess and evaluate the training and its impact.
- B. Early Warning and Intervention
1. The Department shall conduct thorough background investigations of all potential new employees.
 2. All candidates shall be asked if they have engaged in, or been investigated for, domestic violence and asked about any past arrest, suspended sentences, diversion programs, convictions, and protection orders related to elder abuse, child abuse, sexual assault, stalking, or domestic violence.
 3. Those candidates with a history of perpetrating violence (to include: elder abuse, child abuse, sexual assault, stalking, or domestic violence) should be eliminated from the hiring process.
 4. Candidates shall be clearly informed of the Department's position of zero tolerance concerning domestic violence by MOS.
 5. The psychological screening of law enforcement candidates will focus on indicators of abusive tendencies in their background. If found, candidates shall be eliminated from the hiring process.
 6. All current MOS, and newly hired MOS, shall complete the Domestic Violence Inquiry Form.
- C. Department Responsibilities
1. The Department should develop cross-jurisdictional MOUs to ensure timely notification of a domestic violence incident involving a MOS.
 2. The Department either shall, in response to observed warning signs or at the request of a MOS, intimate partner, or other family member, provide non-punitive avenues of assistance before an act of domestic violence occurs.
 3. The Department shall inform MOS of the procedure for seeking confidential referrals, either internal or externally, to confidential counseling services.
 4. A disclosure on the part of any MOS, intimate partner or family member to any member of the Department that a MOS has personally engaged in domestic violence will be treated as an admission or report of a crime and shall be investigated both administratively and criminally.
- D. Supervisor Responsibilities
1. Supervisors shall be cognizant of and document any pattern of abusive behavior potentially indicative of domestic violence including but not limited to the following:
 - a. Aggressiveness,



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- b. Excessive and/or increased use of force while on-duty,
 - c. Stalking and inappropriate surveillance activities,
 - d. Unusually high incidences of physical altercations and verbal disputes,
 - e. Citizen and fellow MOS complaints of unwarranted aggression and verbal abuse,
 - f. Inappropriate treatment of animals,
 - g. On or off-duty MOS injuries,
 - h. Monitoring and controlling any family member or intimate partner through such means as excessive phone calling,
 - i. Use of the telephone with the intent to annoy a family member or intimate partner, whether or not conversation ensues,
 - j. Stalking any intimate partner or family member,
 - k. Discrediting and/or disparaging an intimate partner.
 - l. Deteriorating work performance,
 - m. Tardiness,
 - n. Excessive absences, or
 - o. Alcohol and drug abuse.
2. When the supervisor notes a pattern of problematic behavior (as detailed above), the supervisor shall:
- a. Address the behaviors through a review or other contact with the MOS and document all contacts.
 - b. Forward written reports in a timely manner, capturing the MOS's behaviors, to the Director through the chain of command, when appropriate, to determine the need for an administrative investigation as warranted.
 - c. In the event that immediate intervention is needed, prepare and submit to the Director a written request for a psychological exam / counseling by a psychologist / psychiatrist who is knowledgeable about domestic violence to determine the MOS's fitness for duty where applicable.
 - d. When warranted, request the Director order a MOS to seek assistance from a certified program related to domestic violence or problematic behaviors stemming from domestic violence, and if such a program is not available, a counselor knowledgeable about domestic violence.
3. MOS Responsibilities
- a. MOS are encouraged to take personal responsibility in seeking confidential referrals and assistance from the Department to prevent a problem from escalating to the level of criminal conduct against a household member.
 - b. MOS who engage in the following action will be subject to severe discipline up to and including dismissal:
 - 1) Failure to report knowledge of abuse or violence involving a fellow MOS.
 - 2) Failure to cooperate with the investigation of a MOS domestic violence case (except in the case where that MOS is the victim).
 - 3) Interference with cases involving themselves or fellow MOS.
 - 4) Intimidation/coercion of witnesses or victims (i.e., surveillance, harassment, stalking, threatening, or falsely reporting).
 - c. MOS who learn they are the subject of a criminal investigation, regardless of jurisdiction, are required to immediately notify their supervisor in writing and provide notice of the court dates, times, appearances, and proceedings. Failure to do so may result in severe discipline up to and including dismissal.
 - d. MOS who learn they are the subject of any qualifying protective order proceeding, whether or not the order has been served, and regardless of jurisdiction, shall immediately notify their supervisor in writing and provide a copy of the order, if issued. If subject to a protection order, the MOS shall surrender all Department issued firearms. Failure to do so may result in severe discipline up to and including dismissal.



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E. Incident Response

1. Department-wide Response

- a. The Department shall accept, document, and preserve all calls or reports, including those made anonymously, regarding domestic violence.
- b. All reports of possible criminal activity implicating MOS in domestic violence shall be documented in accordance with the policies governing the handling of reports of domestic violence involving civilians.
- c. The on-scene supervisor shall ensure a copy of the incident report alleging domestic violence by a MOS is sent to the Director.
- d. All such incident reports shall be made available by the Department to the victim without cost, consistent with the public records act.

2. Communications Response

- a. Communications operators shall assign a high priority to all domestic violence calls, including those that involve or appear to involve a MOS of this Department or a police officer of any department.
- b. Communication operators shall immediately notify the on-duty law enforcement supervisor and the dispatch supervisor of any domestic violence call received that involves, or appears to involve, a MOS or a police officer.
- c. Communications operators shall prepare and preserve documentation of the facts and circumstances of the call, including the 911 tapes, for use in potential administrative or criminal investigations.
- d. Communications operators shall have available current contact information of local domestic violence victim advocacy organizations for on-scene supervisors to provide to victims.

3. Patrol Response

- a. Upon arrival on the scene of a domestic violence call or incident involving a MOS or police officer, the primary patrol unit shall immediately notify dispatch and request a supervisor of higher rank than the involved person report to the scene.
- b. The responding officers shall perform the following actions:
 - 1) Obtain needed medical assistance,
 - 2) Address the immediate safety of all parties involved,
 - 3) Secure the scene and preserve evidence,
 - 4) Note all excited utterances, admissions and /or incriminating statements, and
 - 5) Make an arrest if probable cause exists.

4. On-Scene Supervisor Response

- a. A supervisor of higher rank than the involved MOS shall report to the scene of all MOS domestic violence incidents.
- b. The on-scene supervisor shall assume command and ensure that the crime scene is secured and that all evidence is collected. Photographic and/or video documentation of the parties involved and scene shall be recorded where such resources are available.
- c. The supervisor shall inquire as to the safety of all children present at the time of the incident and all children in the household. When appropriate and necessary, ensure that children are interviewed separately from other parties.
- d. In cases where probable cause exists, the on-scene supervisor shall ensure an arrest is made. Whenever a MOS involved domestic violence call does not result in an arrest or a warrant is not sought, the on-scene supervisor shall explain in a written report.
- e. If the alleged offender has left the scene and probable cause exists, the supervisor shall perform the following actions:
 - 1) Exhaust all reasonable means to locate the alleged offender,
 - 2) Ensure that an arrest warrant is sought, if unable to locate the alleged offender, and
 - 3) Document all subsequent actions in a timely manner.



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- f. In the event that the victim has left the scene, the supervisor shall ensure that every effort to follow through on the investigation and attempt to locate the victim is made.
- g. Arrests of both parties involved in a domestic violence incident should be avoided. The supervisor shall ensure that a thorough investigation is conducted and an arrest of the dominant aggressor is made in accordance with state law.
- h. Whenever a sworn MOS of this Department is arrested, the supervisor shall relieve the accused officer of all Department issued firearms.
- i. The on-scene supervisor shall ensure the victim is informed of the following:
 - 1) The judicial process and victim rights,
 - 2) The Department's general procedures on handling domestic violence involving MOS,
 - 3) The standard of probable cause for arrest,
 - 4) Procedures for obtaining protective orders,
 - 5) Victim compensation,
 - 6) The availability of an on-scene advocate,
 - 7) The availability of confidential transportation to a location that can provide improved victim safety,
 - 8) Community resources and local domestic violence victim service, and
 - 9) The option to remove firearms for safekeeping.
- j. The on-scene supervisor shall notify the chain of command as soon as possible. In the event that the officer is from another jurisdiction, the supervisor shall ensure that a request is made to notify the accused officer's supervisor. All notifications, and attempts to notify, shall be fully documented.

5. Additional Critical Considerations

- a. When responding to a domestic violence complaint involving a police officer from another jurisdiction, all responding officers, investigators, and supervisors shall follow the same procedures that are to be followed in responding to a domestic violence complaint involving a MOS from this Department.
- b. In the event that the reported incident involves the Director of Public Safety, the supervisor shall immediately notify the district attorney, the mayor, and the city administrator.
- c. In responding to domestic violence incidents where the victim is a MOS, standard domestic violence response and investigation procedures should be followed.
- d. In responding to domestic violence incidents where the parties involved are both MOS, standard domestic violence response and investigation procedures should be followed. After probable cause and dominant aggressor are determined, an arrest should be made.

6. Department Follow-Up

- a. In a timely manner, the Director or his designee shall ensure that all MOS who responded to a police officer domestic violence call are debriefed. The debriefing shall include the following:
 - 1) A direct order prohibiting discussion of the incident outside the official inquiry,
 - 2) A clear delineation of assignments, and
 - 3) The referral of counseling services to responding MOS as appropriate.
- b. Follow-up investigators shall proactively seek out information on existing protective orders and, if found, shall enforce them and any applicable state and federal firearms laws and determine whether the MOS violated Department Standards and Procedures by failing to report the protective order.
- c. Arrest warrants charging MOS with domestic violence and protective orders issued at a later time shall be served by no fewer than two officers with at least one being of senior rank to the MOS being served. In cases where firearms have not previously been seized, Department firearms shall be seized.



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- d. In the event the protection order expires or the victim asks that it be discontinued, the Department shall still conduct a thorough administrative investigation.
- e. Following the reported incident, the Department may designate a member of the command staff to perform the following duties:
 - 1) Conduct a danger assessment of the accused MOS to determine the potential for further violence and inform the victim of the possibility of danger regardless of the outcome of the assessment.
 - 2) Act as a principal point of contact to keep the victim apprised of all developments.
 - 3) Ensure that safety planning and danger assessment is made available to the victim.
 - 4) Report the findings of the danger assessment to the Director who will make decisions concerning appropriate sanctions, administrative actions, and referrals for the accused MOS.

F. Victim Safety and Protection

- 1. The Department shall work with the community resources and advocacy agencies to connect victims and other involved parties with appropriate services.
- 2. The command staff designated as principal contact for the victim, shall inform the victims of confidentiality policies and their limitations, and ensure that confidentiality is maintained throughout the case.
- 3. All MOS shall be aware of possible victim/witness intimidation or coercion and the increased danger when the victim leaves an abusive partner. The designated principal contact shall assist the victim or other involved parties in safety planning and caution the victim to be alert to stalking activities.
- 4. If a MOS suspects intimidation or coercion of the victim/witness is occurring, the MOS shall prepare a written report to be delivered to their immediate supervisor. The receiving supervisor shall forward the report to the appropriate investigator(s).
 - a. In order to determine whether the victim/witness is being intimidated or coerced, the investigator in charge shall seek out secondary sources of information.
 - b. Given the possibility that a victim will recant or choose not to participate in court proceedings, supplemental evidence shall be sought out and preserved.

G. The Department shall conduct separate and parallel administrative and criminal investigations of alleged incidents of MOS involved domestic violence in a manner that maintains the integrity of both investigations and promotes zero tolerance. Regardless of the outcome of the criminal case, the Department shall uphold all administrative decisions. If the facts of the case indicate that domestic violence has occurred, or any Department Standards and Procedures have been violated, administrative action shall be taken independent of any criminal proceedings as soon as practicable.

- 1. Regardless of whether an arrest was made on scene, the investigating MOS shall conduct an independent, comprehensive administrative investigation using standard elements of criminal investigations. Victims and witnesses shall be re-interviewed and their statements recorded; crime scene evidence, photographs, and medical records accessed; and 911 tapes requested.
- 2. Where sufficient information/evidence exists, the Department shall take immediate administrative action against the accused MOS that may include removal of badge and Department issued firearms of sworn MOS, reassignment, sanctions, suspension, or termination.
- 3. When an investigation of an incident uncovers MOS who had knowledge of violence on the part of another MOS but failed to notify the Department or engaged in actions intended to interfere with the investigation, the Department shall investigate those MOS, take disciplinary action, and criminally charge as warranted.
- 4. If the Department determines through an administrative investigation that the MOS violated Department Standards and Procedures, regardless of whether the MOS plead *nolo contendere* in response to criminal charges, the Department may employ the full range of administrative sanctions. Any sworn MOS determined through an administrative investigation to have committed domestic violence shall be subject to the Internal Review and Hearing Board Policy.



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5. The responsibility to complete a criminal investigation of an incident of MOS domestic violence shall rest with the investigations unit. The Director may ask an outside law enforcement agency to conduct the criminal investigation at his discretion.
 - a. The investigating MOS shall conduct criminal investigations, as would be the case for any other criminal violation.
 - b. In accordance with the MOS and victim's privacy rights, the investigating MOS shall conduct sufficient interviews (taped) of family members, friends, neighbors, colleagues, and others who may have information regarding the domestic violence incident.
 - c. Even though an initial report may already exist concerning a MOS, reports of any subsequent or additional criminal or non-criminal incidents, which may include fellow MOS engaging in surveillance or intimidation of the victim, shall be documented in a separate incident report, assigned a case number, cross-referenced with the original case number and investigated thoroughly.
 - d. The Department shall completely investigate the charges, and where warranted, seek prosecution even in cases where the victim recants.
 - e. The Department shall establish a liaison to work with the prosecuting attorney for each case. The investigator shall present all the information to the prosecuting attorney for action and ask that decisions about the adjudication of the case be made in a timely manner.
 - f. Any MOS convicted through criminal proceedings of a domestic violence crime shall be subject to the Internal Review and Hearing Board policy.
- H. Upon the decision to terminate a MOS, the Director shall ensure, when appropriate, that the victim is notified and offered available assistance to include safety planning.
- I. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures



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REVIEW OF ALLEGED MOS MISCONDUCT**GENERAL STANDARD**

Reviewing Complaints/Notices or observed alleged misconduct by MOS is crucial in demonstrating and protecting the Department's integrity. The Department shall accept and review fairly and impartially all Complaints/Notices of alleged MOS misconduct to determine the validity of the allegations and the need for further investigation; to impose timely and consistent corrective action, disciplinary action, or administrative sanction when justified; and to formally exonerate the accused MOS when warranted.

The Department recognizes the need for supervisors to have the ability to enforce the Departments Standards and Procedures. Supervisors have the responsibility of monitoring and reviewing the performance of MOS on a daily basis, and administering corrective or disciplinary action for class II violations of Department Standards and Procedures when warranted.

DEFINITIONS

Misconduct: A violation of Department written or verbal rules, regulations, standards, procedures, orders, or values, by an MOS.

Notice: Any method by which a person makes the Department aware of an alleged act of misconduct by an MOS, when the person giving notice was not directly involved in the incident.

Complaint: Any method by which a person makes the Department aware of an alleged act of misconduct by an MOS when the person complaining was directly involved in the incident.

Class I Violation(s): Violation(s) that upon observation or summary review could possibly result in subsequent administrative sanctions against an MOS if the violations are sustained.

Class II Violation(s): Violation(s) that upon observation or summary review have the appearance of being managed through corrective or disciplinary action.

Administrative Sanctions: Include suspensions; demotions, discharges or any actions affecting an MOS's property interest not to include take home car privileges.

Disciplinary Actions: Include written reprimands and losses of take home car privileges.

Corrective Actions: Include training, counseling, performance improvement plans, and written or verbal warnings.

STANDARDS AND PROCEDURES**A. Notices and Complaints of Misconduct**

1. All Complaints/Notices that allege MOS misconduct shall be documented and reviewed in a timely manner.
 - a. Complaints/Notices may be given in person, over the telephone, or in writing.
 - b. Anonymous Complaints/Notices from persons, who wish their names to be held in confidence, shall be accepted.
 - c. MOS shall not coercively, or in any manner, deny a person the opportunity to report alleged misconduct. However, MOS may attempt to resolve an alleged violation by an explanation of Department policy or procedure, when appropriate.
 - d. Complaints/Notices that have the appearance of being retaliatory or frivolous shall be accepted. However, upon initial review, may not be subject to further review or investigation as authorized by the Chief of Police.
2. MOS receiving a Complaint/Notice of alleged MOS misconduct shall refer the person to an on-duty supervisor.
 - a. When a supervisor is unavailable, the MOS shall request the person's name and contact information so that a supervisor can contact them at a later time.
 - b. Non-supervisory MOS should not seek details of the Complaint/Notice unless the reporting person desires to remain anonymous and the information would otherwise not be obtainable.
 - c. The supervisor may attempt to resolve an alleged violation by providing an explanation of Department policy or procedure, when appropriate. If resolved, the supervisor shall document the complaint and the facts surrounding the resolution on the Supervisor's Review Form.
3. When the Complaint/Notice cannot be resolved through explanation, or if a supervisor observes that an MOS may be involved in misconduct, the supervisor shall assess the situation and take immediate corrective action if required. The supervisor shall determine either to begin a Supervisor's Review or forward the documentation to the Office of Professional Standards as follows:
 - a. For observed or alleged class II violations only, a supervisor may begin a Supervisor's Review regarding MOS directly under their command.



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- 1) For MOS not under their command, the information shall be forwarded to the appropriate supervisor who shall conduct the Supervisor's Review.
 - 2) When a supervisor is aware of additional circumstances, such as prior disciplinary action or orders that might substantiate administrative sanctions against the MOS, the information shall be forwarded to the Office of Professional Standards for initiation of an Internal Affairs Investigation.
 - 3) If a supervisor determines during a Supervisor's Review that an Internal Affairs Investigation is warranted due to the discovery of a class I violation(s) or other cause, the information shall be forwarded to the Office of Professional Standards for initiation of an Internal Affairs Investigation.
- b. For alleged class I violations, the supervisor shall document the incident and forward a report to the Office of Professional Standards. When appropriate, the immediate supervisor of the MOS shall be notified of the incident.
- 1) When the possibility exists that evidence or information would be lost if no immediate action is taken, a supervisor may immediately begin a Supervisor's Review which shall be limited to identifying witnesses and complainants, conducting preliminary interviews and securing all relevant evidence contemporaneous to the incident.
 - 2) The information shall be forwarded to the Office of Professional Standards as soon as practical.
- c. When in doubt as to whether or not the allegations are class I or class II, the supervisor shall forward the information to the Office of Professional Standards.
- B. Responsibilities of the Office of Professional Standards
1. Upon receipt of a Complaint/Notice the Office of Professional Standards shall use established criteria for the purpose of assignment.
 - a. When a Complaint /Notice alleges at least one class I violation, the Internal Investigations policy shall be followed.
 - b. When a Complaint/Notice alleges only class II violations, the review should normally be assigned to the immediate supervisor of the accused MOS, with the following exceptions:
 - 1) If the first-line supervisor is unavailable, directly involved in an incident of alleged misconduct, or otherwise unable to be objective, the supervisor shall not be assigned the investigation.
 - 2) When the first-line supervisor is not assigned the investigation, the next level supervisor shall be the secondary consideration for assignment. If the next level supervisor is the Chief of Police, the investigation shall be assigned to the Internal Investigations Unit.
 - 3) If no supervisor within the accused MOS's chain of command can be assigned the investigation, then another supervisor of equal or higher rank than the accused MOS shall be assigned the investigation.
 - 4) The Chief of Police may order that a Complaint/Notice be handled as an Internal Affairs Investigation at his discretion.
 2. The Office of Professional Standards shall:
 - a. Assign a control number to each Complaint/Notice received.
 - b. Maintain a chronological log of all Complaints/Notices received by the Department.
 - c. Maintain a central file for Complaints/Notices and completed Reviews in a secured location.
 - d. Notify the accused MOS in writing as to the final disposition of the Review.
 - e. Provide the Chief of Police with an annual summary of Complaints/Notices against MOS and the dispositions of those Complaints/Notices.
- C. Supervisor's Review Process for Class II Violations
1. Upon becoming aware of, being assigned, or receiving notification of potential misconduct by an MOS under his command, the supervisor shall begin an immediate review.
 2. During a Supervisor's Review, the accused MOS shall be notified either verbally or in writing of the nature of the review.
 3. During a Supervisor's Review, the supervisor shall question the involved MOS. Known witnesses and complainants should be questioned when it is believed they may have information relevant to the review. The supervisor shall secure all relevant evidence.



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4. An MOS shall be permitted to produce any relevant documents, witnesses, or other evidence to support their case during the review process.
 5. Upon completing an assigned Supervisor's Review, or a self initiated Supervisor's Review in response to a Complaint/Notice received in person, one of the following shall be administered:
 - a. When no violations have been sustained, forward the completed review to the Office of Professional Standards.
 - b. When class II violation(s) have been sustained, the supervisor shall take appropriate corrective or disciplinary action and forward the completed review to the Office of Professional Standards.
 6. Upon completing a self-initiated Supervisor's Review in response to observed possible misconduct involving MOS assigned to their command, one of the following shall be administered:
 - a. When class II violation(s) have been sustained, the supervisor shall take appropriate corrective or disciplinary.
 - b. When no violations have been sustained, the supervisor shall notify the MOS of the findings. The supervisor may document the incident for future reference; however, no documentation will be forwarded to the MOS's annual evaluation or personnel file.
 7. A Supervisor may need to confer with his supervisor to determine proper corrective or disciplinary action. However, in the event the supervisors disagree on the proper action, the decision for action will be made at the higher level. Supervisors who fail to take the appropriate action may be subject to action for failure to act.
- D. Any MOS conducting an assigned Supervisor's Review shall complete an accurate report. The report should include:
1. A detailed narrative of the incident that prompted the Complaint/Notice, information acquired and factual observations during the process.
 2. Summaries of all interviews and interrogations.
 3. Information describing any documents and evidence collected.
 4. Findings regarding the initial allegation(s) of misconduct, or of other violations discovered during the investigation.
 5. A list of the specific Standards and Procedures, or policies violated and a justification for each finding.
 6. Disposition of the review.
- E. A Supervisor's Review should normally be completed within 15 days.
1. When a review cannot be completed in the normal time frame, the supervisor should notify the accused MOS of the estimated time delay.
 2. All reviews shall be conducted in an impartial and objective manner so as to discover as much factual information about the incident as practical.
- F. Interviews and Interrogations
1. When conducting a supervisor review of alleged misconduct, the appropriate procedures for conducting interviews shall be followed. Interrogations normally are not conducted during a Supervisor's Review. However, when the circumstances of an interview require that an interrogation occur, the appropriate procedures for conducting interrogations shall be followed.
 2. Prior to an interview, the accused MOS shall be advised of the nature of the review and, unless the Chief of Police has determined not to disclose the information, the names of all known persons who gave notice or complained.
 3. All interviews shall be conducted while the MOS is on-duty or during his normal waking hours, unless the urgency of the review requires otherwise.
 4. Interviews may be conducted in any reasonable location.
 5. MOS shall not be subjected to offensive language, nor threatened with transfer, dismissal, or disciplinary action during an interview. An investigator or supervisor, as an inducement to answer any questions, shall make no promise or reward.
 6. There shall not be more than two interviews within a twenty-four hour period, unless the parties mutually consent to additional interviews, provided that there shall be at least a one-hour rest period between the interviews.
 7. Interviews may be recorded, but it is not required. When not recorded, they shall be accurately summarized in the report.
 8. The combined duration of the MOS's work shift and any interview shall not exceed fourteen hours within a twenty-four hour period, unless the urgency of the review requires otherwise.



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9. Interviews shall not exceed two hours, unless the parties mutually consent to an extended period.
 10. MOS shall be allowed to attend to physical necessities as they occur in the course of an interview.
- G. Labor Representative or Legal Counsel
1. MOS shall be permitted to have a labor representative present at an administrative interview.
 2. MOS shall be permitted to have legal counsel or a labor representative present during an administrative interrogation.
 3. During an administrative interview or interrogation, the legal counsel or labor representative is limited to acting only as an observer. However, the representative may confer with the accused MOS.
- H. Special Examinations
1. When a level of intoxication or drug usage is suspected as a factor directly related to an MOS's performance or operation of a Department vehicle, the on-duty supervisor shall begin a Supervisor's Review and direct the MOS to submit to a breath or blood test. Urine tests shall be done in accordance with Department policies, City Work Rules, or the City Safety Manual.
 2. MOS may be required to participate in an identification line-up when the line-up is solely for administrative purposes.
- J. Department owned property, including but not limited to: offices, vehicles, desks, files, lockers, documents, computers, floppy and compact disks, may be inspected when there is reasonable suspicion that evidence of work-related misconduct will be found therein.
- K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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DISCIPLINE

GENERAL STANDARD

The Department established discipline system is intended to promote consistency and fairness in correcting MOS behavior that does not meet the Department's expectations, and to instill a disciplined atmosphere for efficiently carrying out the objectives of the Department.

STANDARDS AND PROCEDURES

- A. MOS conduct that does not meet the Department's expectations, or is contrary to established policies or procedure, may be subject to the following administrative actions:
 1. Administrative Sanctions – These include suspensions, demotions, discharges or any actions affecting a MOS's property interest, not to include take-home car privileges.
 2. Disciplinary Actions – These include written reprimands and loss of take-home car privileges when issued as a form of discipline. The purpose of a disciplinary action is to admonish the MOS in the interest of discipline.
 3. Corrective Actions - These include training, counseling, performance improvement plans, and written or verbal warnings. The purpose of corrective action is to provide the MOS an opportunity to improve behavior or performance and conform to Department standards. The Department encourages the use of corrective action as a means of improving employee productivity and effectiveness.
- B. The Department promotes a system of progressive administrative actions to be used with MOS who violate or fail to comply with policies, rules, or standards and procedures, or who have other performance problems. This system is designed to correct the infraction or behavior. Progressive administrative actions are used to give employees notice that:
 1. They will not be treated in an arbitrary manner for making a mistake.
 2. Repeated violations of rules and policies will not be tolerated.
 3. Unacceptable performance may result in discharge.
 4. The Department will pursue a fair and consistent approach to situations warranting corrective action.
- C. Administrative actions will be appropriate for the particular violation and should be administered in a progressively escalating manner for similar subsequent violations.
 1. Each situation which requires some form of administrative action should be judged on its own merits. It is not mandatory to follow the types of progressive action as outlined.
 2. The appropriate action should be determined based upon the circumstances surrounding the situation, the severity of the infraction, previous similar actions, and/or a record of repeated infractions of rules, regulations, procedures, memoranda or orders.
- D. Supervisors shall document all administrative actions in order to monitor the MOS's improvement, and evaluate the effectiveness of the action.
- E. The supervisor shall use the Employee Performance Notice to document MOS performance.
 1. The notice is intended to document favorable and unfavorable performance.
 2. Notices shall be placed in the MOS's annual evaluation file, and used for annual employee performance appraisals.
- F. Corrective actions shall be placed into an MOS's annual evaluation file. Corrective actions will be reviewed either at the time of the MOS's annual appraisal or at the time specified in writing. If the corrective action is directly related to a substandard performance area in the appraisal, the corrective action may be forwarded with the appraisal to the MOS's personnel file.
- G. Written warnings shall be maintained in an MOS's annual evaluation file for one year and shall be expunged from the MOS's annual evaluation file when there has been no other similar corrective or disciplinary action placed in the file.
- H. Immediate supervisors shall review each subordinate's annual evaluation file bi-annually or when assigned a new subordinate. During this review, previous notations shall be evaluated to determine the level of an MOS's performance.
- I. An MOS may request that corrective actions or letters of reprimand be removed from their personnel file after the time limits set forth so long as there has been no other similar action taken against an MOS within the specified time. The MOS shall draft a memorandum, through the chain of command, to Human Resources (HR). HR will evaluate the request and the MOS's file. The guidelines for removal of corrective or disciplinary actions are as follows:
 1. After one year from the date a corrective action or letter of reprimand is placed in an MOS's permanent personnel file, and the violation was not a determination of misconduct, such as conduct unbecoming, truthfulness, use of alcohol or drugs, abuse of position, neglect of duty, etc. the corrective action or reprimand may be expunged from the file.



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2. If the first request is denied and after two years from the date a corrective action or letter of reprimand is placed in an MOS's permanent personnel file, the corrective action or reprimand may be expunged from the file when there has been no other similar action taken against the MOS.
 3. After three years from the date a corrective action or letter of reprimand is placed in an MOS's permanent personnel file the corrective action or reprimand shall be expunged from the file.
- J. MOS serving "on-duty suspension," or actual suspension with time off from work, shall not be allowed to work overtime assignments within the same pay period of the suspension.
- K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

The Rio Rancho Police Department acknowledges that our most important asset is the people who comprise the Department. The purpose of this policy is to establish practices for documenting and managing MOS performance.

This policy is intended to standardize documentation for both positive and negative performance indicators and to identify employees who have developed a pattern of behavior which indicates intervention efforts may be necessary.

STANDARDS AND PROCEDURES

A. Principles

1. It is the duty of supervisors to directly monitor the performance and behavior of MOS under their charge on a daily basis.
2. Supervisory personnel shall track the performance and behavior of MOS, utilizing mandated methods including proprietary software designed for such a purpose.

B. Reporting Procedures

1. All documentation is to remain confidential.

2. Documentation procedures:

- a. Discuss the document with the MOS

- 1) Documentation shall reflect the personal communication between supervisor and MOS. Whenever possible, negative performance should be discussed with the MOS prior to documentation.

- b. Make documentation a habit.

- 1) Daily documentation is each supervisor's goal.

- 2) Annotate performance throughout tour of duty.

- 3) Compile annotations and notes into formal documentation.

- c. Facts, as well as opinions supported by facts, may be included.

- 1) Document both positive and negative behavior.

- 2) Proper and thorough documentation will ensure accuracy and will result in a positive impact upon MOS.

- d. Documentation shall be contemporary with the event or behavior.

- e. Document events and behavior as they occur. Accuracy is ensured with timeliness.

C. Data Entry



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1. Documentation on all MOS is mandatory.
2. All supervisors shall check for documentation weekly.
 - a. Transparency is mandatory, communication is necessary and forms the basis for information exchange.
 - b. Accurate, fair, and consistent documentation will provide meaningful feedback in promoting MOS judgment, increased insight into behavior, heightened awareness of organizational goals, and performance comparisons over time, all of which combine to increase motivation. Documentation should reflect both positive and negative behavior.
3. Supporting data may be uploaded into the documented event. Uploads may consist of documents, photographs, video, and audio files. All files with reasonable upload times shall be added to the documented event.
4. The following categories shall be documented:
 - a. Vehicular pursuits,
 - b. Use of force incidents,
 - c. Documented oral counseling,
 - d. Performance improvement plan,
 - e. Written warning,
 - f. Written reprimands,
 - g. Citizen complaints,
 - h. Vehicle crashes,
 - i. Internal complaints,
 - j. Certificate of appreciation,
 - k. Chief's commendation,
 - l. Letter of recognition
 - m. Peer recognition, and
 - n. Public recognition.
5. The following categories are examples of those that should be documented:



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- a. Decision making,
 - b. Absenteeism,
 - c. Career development,
 - d. Code of conduct,
 - e. Failure to appear,
 - f. Cooperation and coordination,
 - g. Initiative,
 - h. Operation/care of equipment,
 - i. Problem solving,
 - j. Productivity,
 - k. Reliability
 - l. Report writing, and
 - m. Work Habits.
6. Supervisors are encouraged to create entries on personnel within, as well as outside their chain of command.

D. Performance Evaluations

1. Required documentation will assist when supervisory personnel are preparing an annual evaluation on MOS under their command.
2. Tracking entries shall be reviewed during the review of MOS performance. An example of information available includes;
 - a. Justifying high or low ratings.
 - b. Tracked counseling, training and other measures to improve MOS performance.
 - c. Setting goals and objectives or performance improvement plans.

E. Discipline

1. All discipline which is tracked shall conform to the standards outlined in Department Policy II-2-7, Discipline.



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- a. Expungement of records shall adhere to the current contractual agreement between the City and the bargaining unit.
- 2. Discipline and corrective action shall be tracked for the following reasons;
 - a. Detecting patterns of behavior when discipline is warranted.
 - b. Notifying MOS when substandard performance is observed and giving them opportunities to improve.
 - c. Maintaining a record of disciplinary and corrective actions.
- 3. The following shall be entered into the database;
 - a. Training
 - b. Performance improvement plan
 - c. Documented oral counseling
 - d. Written warning, and
 - e. Written reprimand
 - f. PTO Sick

F. Internal Investigations and reviews

- 1. The following shall be entered into the database;
 - a. Citizen complaints,
 - b. Internal complaints,
 - c. Vehicular pursuits,
 - d. Use of force incidents, and
 - e. Vehicle crash
 - f. Damage to equipment caused by MOS

G. Early Intervention System

- 1. The Early Intervention System (EIS) is designed to identify critical performance indicators, patterns, or trends, and to evaluate the data in a



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manner that is constructive to the MOS and the Department. The purpose of the EIS is to facilitate the early identification of potential problems and to follow up, promptly, with the appropriate intervention.

2. Components of the EIS
 - a. Performance indicators
 3. Documented conduct for each MOS that will be tracked;
 - a. Citizen Complaints,
 - b. Use of force,
 - c. Vehicle crashes,
 - d. Vehicular pursuits,
 - e. Internal complaints,
 - f. Discipline
 - g. Absenteeism, and
 - h. Missed court appearances
 - i. Tardiness
 - j. Rudeness/Attitude
 - k. Policy Violation
 - l. Withdrawal from assignment
 - 1) Each category that applies will be entered, even if it arises from the same incident.
 - 2) Thresholds that will generate an intervention notice.
 - H. Five (5) or more personal readiness incidents are documented within a twelve-month period; or
 1. Three (3) or more performance standard incidents within a three month period, or
 2. Two (2) or more vehicle operations incidents in a six month period.
 - a. Personal readiness incidents annotated:
 - 1) Absenteeism
 - 2) Code of conduct
 - 3) Complaint/Citizen
 - 4) Conduct/Demeanor
 - 5) Documented oral counseling
 - 6) Failure to appear
 - 7) Hazardous/unsafe condition
 - 8) Insubordination
 - 9) Loss, theft, or damaged equipment
 - 10) Neglect of duty
 - 11) Policy Violation
 - 12) Unsatisfactory productivity
 - 13) Redflex violation
 - 14) Rudeness/unprofessional
 - 15) Tardiness
 - b. Performance standard incidents annotated:
 - 1) Citizen complaint – sustained
 - 2) Conduct/Demeanor
 - 3) Insubordination



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- 4) Unsatisfactory productivity
 - 5) Pursuit-within policy
 - 6) Redflex violation
 - 7) Rudeness/unprofessional
 - 8) Tardiness
 - 9) Use of force – chemical agent
 - 10) Use of force – impact weapon
 - 11) Use of force – pain compliance
 - 12) Use of force – escort
 - 13) Use of force – physical control
 - 14) Use of force – Taser
 - 15) Work ethic
- c. Vehicle operation incidents annotated:
- 1) Crash – chargeable
 - 2) Loss, theft, or damaged equipment
 - 3) Redflex violation
- d. Intervention - Intervention options include:
- 1) No additional action, or
 - 2) Counseling by immediate supervisor, or
 - 3) Performance improvement plan, or
 - 4) Training, or
 - 5) Referral to Employee Assistance Program (EAP), or
 - 6) Professional counseling services, or
 - 7) Reassignment, or
 - 8) Relief from duty
- e. Role of the first line supervisor
- 1) First line supervisors shall not rely solely on intervention notices to identify potential problems.
 - 2) First line supervisors shall identify MOS whose performance is exceeding expectations, and ensure recognition when warranted.
- f. When an early intervention notice is received, a review shall be completed. The review shall include;
- 1) All incidents which activated the intervention,
 - 2) At least six months of the MOS's performance records,
- g. The first line supervisor's personal knowledge and observations of the MOS, and, if warranted, an interview with the MOS.
3. First Line Supervisor Response
- a. If no further action is necessary, the first line supervisor shall create a response, summarizing why no additional action was taken.
 - b. If the first line supervisor determines follow up action is necessary, he or she will create a response annotating what the review has identified and what steps have been taken.
 - c. The response shall provide a brief summary of complaints, use of force incidents, and/or performance indicators and their respective dispositions when available. No conclusions or determinations concerning job performance shall be made. Responses are intended to assist supervisory personnel evaluate and guide their subordinates. This record alone shall not form the basis for disciplinary action.
4. Role of the Manager
- a. When notified of an early intervention notice of an MOS under their command, the manager shall ensure that the first line supervisor is following mandated procedures.
 - b. The manager shall review;
 - 1) All incidents which activated the intervention, and,



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MOS PERFORMANCE – EARLY INTERVENTION

- 2) At least six months of the MOS's performance records,
- 3) The manager will also ensure that any necessary follow-up takes place.

I. Post Intervention Monitoring

1. Post intervention monitoring shall be conducted to measure the effectiveness of the intervention. Monitoring, at a minimum, shall include:
 - a. Report review,
 - b. Informal meetings,
 - c. Radio traffic monitoring,
 - d. Observation of performance during calls for service, etc.
 2. If monitoring determines that intervention methods are not having the desired result, the supervision team shall determine the appropriate response.
- J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Section: 2
Chapter: 1
Article: 7

PERFORMANCE IMPROVEMENT PLAN

GENERAL STANDARD

The policy of the Rio Rancho Police Department is that all employees are expected to perform in a competent manner in furtherance of the Values and Mission of the Department and in accordance with the law and the policies and procedures of the City. In furtherance of this policy, the Department does establish this procedure whereby substandard and unacceptable performance can be identified and an appropriate program of corrective action can be established. The objective of this procedure is to correct the substandard/unacceptable performance, thereby restoring the employee to a level of acceptable and competent productivity. In order to accomplish this objective, this procedure is developed upon the following key criteria:

1. Identification of the substandard/unacceptable performance/behavior,
2. Communication of the deficiencies to the employee,
3. Formal documentation of the deficiency and the expected change(s), and
4. Development of the document which specifies an action plan.

STANDARDS AND PROCEDURES

A. Initial Supervisory Corrections

1. When minor policy violations and/or performance deficiencies are noted for the first time, verbal counseling is the preferred method for corrective action.
2. When repeated policy violations and/or performance deficiencies are noted, formal counseling sessions should be initiated. These violations can be brought to the attention of the supervisor through daily observations, citizen complaints or Early Intervention Criteria as noted in Department Standards and Procedures Section II, Chapter 2, Article 9 *MOS Performance - Early Intervention*.
 - a. The counseling session should address each policy infraction and/or performance deficiency which has been identified and the expected corrective action by the employee for each one.
 - b. Each counseling session shall be documented in accordance with Department Standards and Procedures.
 - c. The documentation of the counseling session should list each policy violation and/or performance deficiency along with the expected corrective action.
3. Should formal counseling fail to correct the performance deficiency and/or ensure compliance with policy, a Performance Improvement Program shall be implemented.

B. Performance Improvement Program

1. The Performance Improvement Plan (PIP) is not intended to be disciplinary in nature and therefore will not be entered in the employee's personnel file if he or she successfully completes the program.
 - a. An employee's failure to successfully complete the PIP in the allotted time must be clearly documented.
 - i. In most situations, failure to successfully complete the program will result in progressive disciplinary action up to and including demotion, reduction in pay, or termination;
 - ii. It will also result in the inclusion of the program documentation in the employee's personnel file.
 - b. Documentation of the program will be maintained in the supervisory review or internal investigation that initiated the need for a plan. These files are retained by Professional Standards consistent with standard protocol for records destruction.
2. The employee's supervisor will establish the duration of the PIP.
 - a. Normal duration for a PIP is 90 days. The minimum specified time is 60 days but may last up to 120 days.
 - b. Should the employee progress at an accelerated rate, the PIP may be an abbreviated duration.
3. The Performance Improvement Plan Process
 - a. The supervisor will prepare a draft PIP on the employee. The draft will include the following:
 - i. A list of each performance standard in which the employee is deficient;
 - ii. A detailed accounting of each incident in which the employee failed to meet the listed performance standard;



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- iii. A summary of the positive improvement expected of the employee in order to be considered as satisfactory;
- iv. A list of training that the employee will attend if applicable.
- v. A weekly or bi-weekly review process and counseling scheduled between the employee and the supervisor;
- vi. The specific duration of the PIP.
- b. The supervisor will forward the draft PIP to his or her supervisor for initial approval.
 - i. The draft PIP will be forwarded through the chain-of-command to the Chief of Police for approval.
- c. The supervisor will discuss the draft PIP with the employee and prepare the final version.
 - i. The supervisor will emphasize the objectives of the PIP.
 - ii. The supervisor should express that the intent of the PIP is to improve the employee.
 - iii. The supervisor should encourage the employee's input and incorporate it into the PIP if appropriate.
 - iv. The supervisor will inform the employee of any outside training and or counseling that is required or recommended as part of the PIP.
 - v. The supervisor will inform the employee of the consequences that may result in the event the employee fails to satisfactorily complete the PIP.
- d. The supervisor will implement the review process according to the determined schedule; he or she will also facilitate training for the employee.
- e. During the duration of the PIP, the supervisor will meet in formal counseling sessions with the employee as specified in the determined schedule.
 - i. The supervisor will review the employee's progress as it relates to each identified performance deficiency.
 - ii. Each counseling session will be documented in accordance with Department Standards and Procedures.
- f. The supervisor will complete the final progress report and forward the completed file to the Operations Deputy Chief for review and approval.
 - i. Should punitive action be necessary, such action will be implemented in accordance with Department Standards and Procedures Section II, Chapter 2, Article 7 *Discipline*.

4. Performance Improvement Plan Format

- a. The Performance Improvement Plan Form shall be used for the PIP.
 - i. The Subject Line should state Failure to Meet Performance Standards.
 - ii. The PIP Form should be directed to the deficient employee.
- b. In each appropriate field of the form, the documenting supervisor will include all details of the PIP as directed in sub-section B (3) (a) of this policy.

5. Final Report

- a. At the end of the PIP, the supervisor shall prepare a final report regarding the employee's progress in the program.
- b. When the employee successfully completes the program, the final report should reinforce the improved performance and encourage continued acceptable performance.
- c. In the event the employee does not successfully complete the program, the report should:
 - i. Include a detailed and enumerated list of the performance standards the employee failed to achieve.
 - ii. Include a recommendation for disciplinary action or other consequences, as articulated in the PIP, for failing to satisfactorily complete the program.
 - iii. Include a detailed account of the employee's comments regarding the Final Report.



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- d. The Final Report shall be submitted and forwarded along with all documentation through the chain of command to the Chief of Police.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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To: From:

Subject: Date:

Performance Standards and how you failed to meet them:

List each performance standard to which the employee has failed to meet, list specific occasions:

How to improve your performance

List positive behaviors:

Supervisory Assistance and Guidance:

Over the next days, your supervisor/s will meet with you and follow up with your performance improvement progress every:

Time Location

Your supervisor directs you to obtain the following training and/or counseling in the following areas:

If your performance fails to improve or you fail to complete the requirements indicated above, you are subject to progressive discipline; including demotion, reduction in pay, up to and including termination.

Supervisor Signature

Employee Signature

Employee Number

Date

Time



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LIMITED WORK DUTIES FOR SPECIAL ASSIGNMENT

Section: 2
Chapter: 1
Article: 8

GENERAL STANDARD

In the interest of maintaining good employee relations and morale, the Department may allow MOS to work in a special assignment, or other limited capacity, based on the MOS's documented ability and other pertinent restrictions and needs of the Department.

STANDARDS AND PROCEDURES

A. MOS who are unable to perform their regular duties due to illness, injury, medical condition, or other physical limitation, may be assigned to limited work duties or schedule assignment within the Department based on the following:

1. The MOS must make a written request for limited duty through the chain of command to the Chief.
2. The MOS must submit a written release signed by the individual's physician releasing the individual to work in a limited assignment.
 - a. Any specific work restrictions must be noted on the release.
 - b. A prognosis for complete recovery and the ability to return to full duty must be stated on the release.
3. In the event MOS becomes injured or is limited due to an illness or medical condition, MOS shall notify their supervisor immediately.
4. If MOS's work assignment has a probability of aggravating MOS's condition or creates a potential hazard, MOS shall immediately take sick leave or be assigned a task that poses no threat to MOS's condition at the discretion of the Chief.
5. The limited work assignment shall be reviewed every 30 days and no limited work assignment shall exceed 9 months without special permission of the Chief.
6. MOS are expected to return to full duty as soon as possible and shall immediately report and submit a request to the Chief when the physician has released them for regular duty.

B. Salary and Benefits:

1. When MOS is granted limited duty, salary and benefits shall remain consistent with MOS's current position for a period of 30 calendar days. MOS's salary and benefits may be reduced to be consistent with MOS's limited duty function after a period of 30 days.
2. MOS who are assigned a Department vehicle for off-duty use may be required to discontinue use of the vehicle based on the limitations of the injury, illness or medical condition, as ordered by the Chief.
 - a. MOS will be reassigned a Department vehicle upon full release to return to duty.
 - b. Vehicle assignment will be based on availability and Departmental need.

C. MOS unable to wear their uniform due to the nature of their condition or based on the limited assignment must conform to the dress guidelines for non-uniformed MOS.

D. MOS will be assigned within the Department to a position that best fits the needs of the Department or where openings exist.

E. The Department will make objective decisions when approving requests for limited assignments and will make them consistent with E.E.O.C. guidelines. Final approval for granting limited duty assignments will be made on an individual basis. The Chief may consider the MOS's work history, past habits regarding injury or illness, liabilities which may be incurred by the Department and other factors, which may affect the decision. Limited work duty assignment requests that are likely to compound existing injury or cause additional injury shall be denied. Limited work duty assignments will not be made for off-duty injury or illness if the potential for the situation to develop into a Workman's Compensation action is inherent and probable.

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Section: 2
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FIT FOR DUTY EVALUATIONS

GENERAL STANDARD

The purpose of this policy is to establish consistent procedures for ordering and implementing psychological fitness for duty evaluations of sworn personnel and other personnel involved in public safety functions. Such evaluations may be necessary for the safety and welfare of the community and MOS, and to ensure compliance with New Mexico State law 29-7-6 A. (6) that mandates that persons are "free of any emotional or mental condition that might adversely affect his performance as a police officer or prohibit him from successfully completing a prescribed basic law enforcement training required by the Law Enforcement Training Act."

It is not the intention of this policy to interfere with a supervisor's ability to recommend or suggest personal counseling to a subordinate, nor is this policy intended to alter or replace confidential counseling provided by the Department as a result of critical incidents. Rather, this policy is intended to provide a mechanism for the assessment of an MOS's mental and emotional ability to perform essential functions of their position.

A Fit for Duty Evaluation (FFDE) may be necessary when the conduct, behavior or circumstances indicate to a reasonable person that continued service by the MOS may be a threat to public safety, the safety of other employees, the safety of the particular MOS, or, may interfere with the City's ability to deliver effective public safety services.

STANDARDS AND PROCEDURES

A. Criteria

1. To assist in determining the continuing emotional and mental fitness of law enforcement officers to carry out their essential duties as armed peace officers, and other employees whose duties affect the public safety, all supervisory MOS should be alert to any indications that an MOS may not be emotionally or mentally fit for duty. Such indications may include but are not limited to the below-stated factors. The mere presence of any one factor or combination of factors may not be sufficient to order the evaluation. However, they should not be ignored because they may lead to the ordering of an evaluation. While there is a great variety and range of acceptable behavior among MOS, dramatic or sudden changes in any particular MOS's customary behavior may increase concern.
 - a. One or more complaints, whether originated internally or externally, particularly complaints of the use of unnecessary or excessive force, inappropriate verbal conduct, or any conduct indicating an inability to exercise self-control and self-discipline.
 - b. An abrupt and negative change in customary behavior that includes an inability to perform essential functions of the position.
 - c. Irrational verbal conduct or behaviors, including delusions and hallucinations.
 - d. Suicidal statements or behaviors, or personal expressions of mental instability.
 - e. Unexplained and excessive tiredness or hyperactivity.
 - f. Dramatic change in eating patterns resulting in sudden weight loss or gain, or diagnosis of a life-threatening eating disorder.
 - g. Change in behavior pattern to inattention to personal hygiene and health.
 - h. Inappropriate use of alcohol, medications or other drugs, including symptoms of illegal drug use.
 - i. Memory losses.
 - j. Impatience or impulsiveness, especially with a loss of temper.
 - k. A pattern of conduct indicating a possible inability or decrease in ability to defuse tense situations, a tendency to escalate such situations or create confrontations.
 - l. Unexplained and inappropriate excessive lateness or absenteeism.
 - m. Any other factor or combinations of factors that causes a supervisor to reasonably suspect that a fitness for duty evaluation may be necessary.

B. Reporting

1. All MOS bear the responsibility to ensure the safety of other MOS and the public. MOS who observe another MOS showing the aforementioned signs or symptoms shall report it to a supervisor.
2. Any supervisor observing, or becoming aware of, circumstances indicating that the emotional or mental fitness of an MOS may be in question shall:
 - a. Assess the circumstances to determine if meeting with the MOS will further aggravate the situation.
 - b. Meet with the MOS to discuss the concerns, if doing so would not aggravate the situation.

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3. An MOS is not required to disclose a disability to a supervisor; however, a supervisor may inquire regarding the conduct, behavior or circumstances that give rise to performance concerns.
4. Where appropriate, a supervisor and MOS may also discuss reasonable accommodations that may enable the MOS to perform the essential functions of his or her position.
5. The supervisor shall appropriately document the meeting.
6. If the meeting does not relieve the supervisor's concerns, or no meeting is conducted, the involved supervisor shall:
 - a. Notify the appropriate chain of command,
 - b. Prepare a written report of the circumstances and forward the report to the Chief.
7. In aggravated circumstances, such as when an MOS's conduct immediately or directly threatens safety, a supervisor may temporarily but immediately relieve the MOS of duty pending further evaluation.
 - a. Any readily accessible or department provided weapons or other department property may be seized by the supervisor when there is reasonable cause.
 - b. Where appropriate, the MOS may be ordered not to exercise police or other official powers.
 - c. Nothing in this section is intended to prevent or limit a supervisor from taking any emergency action reasonably necessary to protect life or property.
8. In other cases, the Chief may relieve an MOS from duty, or reassign an MOS as necessary for public safety or the efficient operation of the Department, pending completion of an evaluation.

C. Order for the Evaluation

1. The Chief or his designee may determine, in the exercise of his discretion, and with or without additional investigation, that a fitness for duty evaluation is or is not warranted.
2. If an examination is warranted, it should be scheduled for the earliest opportunity.
3. The MOS shall receive a written order for the evaluation. The order shall include:
 - a. A brief description of the reasons for the evaluation.
 - b. The date, time and place of the evaluation,
 - c. The name of the physician conducting the evaluation,
 - d. A directive to cooperate with the physician's and/or staff requests, and completely and honestly answer questions,
 - e. Notice that the evaluation is being conducted for use by the Department.
 - f. A statement advising the MOS that the evaluation is confidential between the MOS and the evaluator to the extent possible by law.

D. Referral Process

1. An FFDE is not a substitute for supervision or a mode of discipline. The Department encourages adequate documentation of problematic behaviors, attempts to remedy the situation (or reasons why remediation is inappropriate), and a clear documentation of the MOS's psychological suitability for performing assigned job functions.
2. Written referrals to the evaluator shall come from the Chief. This referral shall include the reason for the referral, and may include the following:
 - a. A detailed description of the Department's attempts, if any, to remedy the problem such as training, tailored supervision, discipline, mentoring, reassignment and/or referral to the Employee Assistance Program, or why such interventions were deemed inappropriate (such as, the precipitating behavior was so egregious or the need for evaluation was immediate).
 - b. Compile background and collateral information regarding the MOS to capture the MOS's pattern of conduct. This information may include performance evaluations, commendations, internal affairs investigations, pre-employment psychological screening, formal citizen/public complaints, use-of-force incidents, officer-involved shootings, civil claims, disciplinary actions, incident reports of any triggering events, medical/psychological treatment records, or other supporting or relevant documentation related to the MOS's fitness-for-duty. The evaluator should consider neither less nor more than that which is necessary to answer the referral question.



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E. Evaluator Qualifications

1. The Department will seek a qualified and experienced person to conduct the FFDE. The evaluator will be designated by the Department. At a minimum, the evaluator shall:
 - a. Be a licensed or certified psychologist or psychiatrist with experience in the diagnosis and treatment of mental and emotional disorders,
 - b. Possess training and background in psychological test interpretation and public safety psychological assessment techniques, and
 - c. Be prepared by training and experience to qualify as an expert for any proceeding that might arise because of the evaluation.
2. The client in an FFDE is the referring agency and not the MOS being evaluated. At the same time, a duty of care to the MOS may be expected as the recipient of a professional service, to be defined by professional ethical standards, pertinent state and federal laws, and/or judicial decisions. Advisements and admonishments identifying the client should be clear to all parties, and their representatives, before the FFDE commences.
3. Evaluators should make every effort to avoid conflicts of interest such as an incompatible dual relationship (conducting an FFDE on an MOS who had previously been a confidential counseling/therapy client or evaluating an MOS with whom there has been a social or business relationship, etc.) Where a conflict may be unavoidable or deemed to be of minimal impact, the conflict should be disclosed and documented before the evaluation goes forth, and all vested parties should concur, with appropriate consents and releases of information obtained. In addition, if confidential counseling is a recommendation, the evaluator, or someone closely aligned, should not be the provider of the service.

F. Evaluation Process

1. No FFDE should be conducted without either the MOS's informed written consent or a reasonable alternative. The MOS should be informed of the purpose and scope of the FFDE, that no privilege exists to prevent disclosure of any or all information observed or reported during the evaluation to the Department, and to whom the report(s) is being provided.
2. If the request for a written consent from the MOS is declined, the evaluator may adopt a suitable option.
 - a. The evaluator can provide a formal written notification to the MOS that includes all informed consent advisements and admonishments, witnessed and signed by a third party and/or captured on tape,
 - b. The failure to gain a written consent from the MOS can be referred to the Department for resolution before the evaluator commences the FFDE,
 - c. The evaluator may choose to decline to proceed without a written, informed consent from the MOS.
3. Refusal to comply with reasonable requests by the evaluator shall be deemed insubordination, and shall be grounds for disciplinary action, up to and including termination. Statements made to the evaluator shall be considered compelled and may not be used in a criminal proceeding against the MOS.
4. Depending on the referral and the evaluator's clinical judgment, an FFDE is customarily a multi-method evaluation of the examinee. To that end, the examination should usually bring different assessment strategies and techniques to bear on developing a clear understanding of the issues in the case. Ordinarily, the following methods make up this battery of techniques (although not all cases will require all methods):
 - a. Review of the requested background information,
 - b. Psychological testing using objective, validated tests appropriate to the referral, such as but not limited to personality, psychopathology, cognitive, or specialized. The selection and number of assessment instruments should be sufficient to address the referral issue(s),
 - c. A face-to-face, comprehensive clinical interview that includes a mental status examination,
 - d. A biopsychosocial history (family, education, employment, marital, medical, legal, financial, substance use, attitudes reflecting bias and prejudice, history of psychological problems and treatment, etc.),
 - e. Third-party collateral interviews with relevant individuals, if deemed necessary and appropriate by the examiner, and
 - f. Referral to, and/or consultation with, a specialist if the presenting problem goes beyond the expertise of the evaluator.

G. Limited Scope of Report.

1. The Department has a right to information that is necessary to achieve a legitimate purpose. The evaluation is ordered by and conducted for the Department. It is not for the purpose of treatment but to determine fitness for duty.
2. The Department is not entitled to any more information regarding an MOS than is necessary to document the presence or absence of job-related personality traits, characteristics, disorders, propensities, or conditions that would interfere with the performance of essential job functions.



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3. The limited written results of the evaluation will be provided to the Department as a confidential record. The report and information received by the Department shall be limited to:
 - a. A conclusion regarding the determination of fitness for duty,
 - b. A description of the functional limitations of the MOS,
 - c. Other information to the extent authorized by law, necessary to achieve the legitimate purpose of the City.
 4. No statement of medical cause shall be included except when:
 - a. The MOS has initiated a lawsuit, arbitration, grievance, worker's compensation or other claim or challenge involving his or her medical history, mental or physical condition, or treatment.
 - b. Under these circumstances, the report may contain information, which is relevant to that action.
 5. If temporarily unfit for duty, recommendations should be offered regarding counseling, modified job assignment, mentoring, training, or other remedies by which the MOS can be helped to regain his or her psychological suitability, to include a schedule for additional review for return to duty.
 - a. Any intervention recommendations should be consistent with available resources within the Department or City so as not to create an untenable position for the MOS, the Department, or the City.
 - b. If the MOS is found unfit for duty, with a poor prognosis for recovery, or after remediation efforts have failed, the opinion should include the evaluator's view that further efforts to correct the condition are likely to be ineffective. Reasoning should be clearly articulated for all conclusions.
 6. Evaluators are under no obligation to explain the FFDE results to the MOS. If the Department wants feedback from the evaluator to the MOS, the Department and evaluator should decide this issue before the evaluation begins, and the evaluator could be asked to provide the requested response.
 - a. If this alternative is inadvisable or undesirable, the evaluator could suggest another qualified mental health professional be made available to the MOS to assure the accurate interpretation of the contents of the Department's report.
 - b. If a special report is to be provided to the MOS or the MOS's legal representative, the evaluator should be mindful to take reasonable steps to ensure explanations are given in a manner understandable to the MOS.
 7. An MOS may waive in writing any or all restrictions on the information reported to the City.
- H. Disposition of Report
1. The Department shall take reasonable steps to protect the information from unauthorized use or disclosure.
 - a. The report will be placed in a secured envelope or jacket and be retained in the MOS's personnel file.
 - b. The report may only be used or disclosed in a legitimate and appropriate proceeding to the extent authorized or compelled by law or agreement.
- I. MOS Disposition
1. Depending upon the results of the evaluation and the recommendation of the evaluator, the Chief may:
 - a. Return the MOS to full duty,
 - b. Place the MOS on temporary light or modified duty,
 - c. Remove the MOS from any duties pending treatment and reevaluation,
 - d. Conditionally allow full or modified duty on receipt of treatment.
 - e. Institute or resume disciplinary proceedings as appropriate,
 - f. Institute proceedings to medically terminate employment, or
 - g. Offer an alternative position if available, for which the MOS may be qualified.
 2. Where possible, it is always the Department's intent to rehabilitate an MOS and achieve a return to full duty status.



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J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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FIT FOR DUTY ASSESSMENT PROGRAM**GENERAL STANDARD**

The critical mission of the Rio Rancho Police Department justifies the importance of minimum physical fitness, agility, knowledge, and wellness standards for MOS using a reasonable Fit for Duty Assessment Program.

The law enforcement and public safety profession has several uniquely compelling interests that justify the use of a Fit for Duty Assessment Program. The public expects that those who are sworn to protect and assist them be prepared physically and mentally to assume and perform these duties. MOS that have physical or mental restrictions could seriously impair their job performance. The Department identifies four factors in determining its interests in maintaining the Fit for Duty Assessment Program.

First, MOS must be effective. Agility, strength, endurance, and knowledge are significant attributes MOS should possess while safely and effectively performing their duties. MOS must be physically and mentally fit to operate emergency equipment, engage in the justified use of force, extinguish fires, maneuver patients, and defend the public from violence or other threats to their safety.

Second, MOS must perform their duties safely. MOS who are not physically or mentally fit to perform the essential job functions create a work environment that is dangerous to other personnel and the public. MOS who become restricted due to physical or mental limitations expose other personnel and the public to a higher risk of injury.

Third, MOS must be efficient. Loss of productivity becomes the result of MOS who are not physically fit and become injured as a result. The Department cannot afford low productivity due to limited human resources, high rates of Workers' Compensation premiums and sick leave. In addition, the public expects that its tax dollars be expended prudently and efficiently. Loss of productivity and the attributed financial cost from unfit MOS is not an accepted public expense.

Fourth, MOS must protect the City against civil litigation. An additional expense from MOS that are not fit physically or mentally is the heightened exposure to civil litigation. The individual who suffers injuries at the hands of an unfit MOS may bring litigation against the City.

Therefore, in order to ensure the efficiency of the Department, to preserve its effectiveness in the public safety function and the fight against crime, this Department shall implement a Fit for Duty Assessment Program consisting of the following four parts:

- Physical Fitness.
- Physical Agility.
- Mental Wellness.
- Intellectual Competency.

STANDARDS AND PROCEDURES**A. Criteria**

1. Criteria for the physical fitness shall be based on the Cooper Institute for Aerobic Research standards.
 - a. Standards for applicants will be based on the single standard norm.
 - b. Standards for all other MOS will be based on age and gender.
 2. Criteria for the physical agility shall be based upon a job task analysis.
 3. Criteria for mental wellness shall be based upon a fit for duty evaluation conducted by a specialist.
 4. Criteria for intellectual competency shall be based upon written assessments consistent with a job task analysis for a given function.
- B. Applicants for sworn MOS shall be required to meet the minimum physical fitness and agility assessments and the written selection assessment to be considered for employment.
1. Applicants shall have their physician sign the Physical Assessment Medical Clearance form, at their own expense, before participating in the physical fitness or agility assessments.
 2. Applicants who cannot be assessed on physical fitness, due to physical limitations, shall obtain a medical exception from a physician at the applicant's expense.
 - a. Applicants shall have a physician complete and sign the Physical Assessment Exception form.
 - b. The Physical Assessment Exception form may be subject to review by a Department appointed physician.
 - c. Exceptions shall be evaluated on a case-by-case basis and handled appropriately.
 3. Unless an applicant possesses a valid medical exception, applicants shall participate in the 11/2-mile run of the physical fitness assessment and



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shall not be eligible for other cardio-vascular options.

4. Applicants who do not meet the minimum standards may be given the opportunity to be reassessed during the next scheduled recruiting process.

C. Fit for Duty Coordinator

1. The Chief of Police shall select Fit for Duty Coordinators who shall:
 - a. Schedule appropriate MOS and applicants for fit for duty assessments,
 - b. Maintain documentation of assessment results while ensuring their security and confidentiality,
 - c. Advise the MOS's first line supervisor and the Chief of Police of MOS's repeated failure to comply with standards and procedures,
 - d. Notify MOS of the results of their physical fitness, and physical agility assessments,
 - e. Instruct or coordinate nutrition and fitness courses, and
 - f. Develop individual improvement plans.

2. Fit for Duty Coordinators shall also be responsible to ensure the Fitness Center and its equipment is maintained in proper working condition.

D. Physical Fitness and Agility Assessments

1. MOS shall be required to honestly complete a confidential health history profile questionnaire and waiver form to ensure their own safety.
2. The Fit for Duty Coordinator shall screen-out those MOS who are unable to test and may order an MOS to obtain a physical examination before testing if sufficient circumstances dictate.

E. Medical Examinations

1. MOS over the age of 50, 30 pounds overweight, exhibiting an abnormal blood pressure (usually above 150/95), who have diabetes, possessing multiple risk factors, or who believe they may be injured, may obtain a physical examination at the Department's expense before participating in the physical fitness or agility assessments.
2. Physical examinations may be required by the Chief of Police upon recommendation from a Fit for Duty Coordinator if sufficient circumstances dictate.

F. Physical Fitness Assessment and Incentives

1. As an incentive to maintain high standards of fitness and wellness, MOS may voluntarily be tested annually on the following:
 - a. The number of situps performed in one minute,
 - b. One press with a predetermined weight on the bench press,
 - c. One press with a predetermined weight on the leg press,
 - d. Flexibility Assessment - a sit and reach maneuver, and
 - e. The one and one half mile run.
2. MOS shall only be tested once in a twelve-month period. If MOS does not obtain a 90%, MOS can only test again after 12 months. The testing process will begin each June.
3. MOS who cannot test due to a temporary illness or condition may test later upon approval from the Chief of Police.
4. MOS covered by the current DPSA labor agreement, who attain an average score of 90% or better based on the age and gender standard, shall receive an incentive consistent with the current labor agreement. Provided the MOS tests in June, the incentive shall be awarded in July of each year.

G. Physical Agility Testing

1. MOS may be mandated to perform an annual physical agility assessment.
 - a. MOS that cannot pass a physical agility test shall be required to submit to a Physical Fitness Improvement Plan. MOS shall be given a



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reasonable amount of time in order to pass the agility test provided the MOS appears committed to the improvement plan.

- b. MOS who cannot pass a physical agility test may be re-assigned, with the loss of hourly wages and/or other benefits, commensurate with that job's assignment.
- 2. MOS who fail to meet the assessed minimum physical agility standards shall:
 - a. Develop a Physical Fitness Improvement Plan with a physician, trained physical fitness professional, or the Fit for Duty Coordinator; and
 - b. Be assessed on a monthly basis to monitor progress and update the Physical Fitness Improvement Plan.
 - c. Be assessed only on those standards they failed.
- 3. MOS who improve by at least ten percent each consecutive month shall not be subjected to discipline.
 - a. Failure to meet the minimum agility standards may subject the MOS to discipline.
- 4. MOS who believe that they should be exempt from the program shall submit a letter for exemption consideration.
 - a. The letter shall be addressed to the Chief of Police.
 - b. Physician statements and other pertinent documentation must accompany the letter of request.
 - c. Upon exemption approval, MOS shall be exempt from only those assessments, which are granted approval. MOS shall be assessed and expected to pass other assessment areas.
 - d. Upon exemption, the MOS's position shall be evaluated by the Chief of Police to determine their ability to perform assigned duties.
- 5. If MOS's physical limitations are believed to restrict their job performance, the MOS may be dismissed or may be reassigned to another position if one is available.

H. Training

- 1. The Department may authorize MOS a maximum of three hours on-duty time per workweek to maintain fitness.
 - a. The on-duty physical training must be done at a Department facility.
 - b. On-duty MOS shall obtain approval from their immediate supervisor before participating in on-duty fitness training.
 - c. Authorized MOS are not guaranteed three hours of on-duty fitness time per week, and may be denied due to staffing levels, calls for service, or other Department needs.

I. Mental Wellness

- 1. The Department recognizes that from time to time MOS experience personal problems that may cause abnormal behavior or a decline in job performance. As a result, the Department may have a reasonable basis to:
 - a. Recommend the MOS seek assistance through the Employee Assistance Program, or
 - b. Order the MOS to submit to a fit for duty evaluation.

J. Intellectual Competency

- 1. The Department shall provide appropriate training to ensure MOS are performing their jobs successfully.
 - a. MOS are responsible for giving their full attention to the subject matter being taught.
 - b. MOS shall demonstrate the ability to pass assigned course work.
- 2. MOS may be subject to testing to determine competency in their current assignment, or for promotional or transfer purposes.

- K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

Department policy is to take immediate action to manage personnel who are physically or psychologically unfit for duty or who violate Department policies, procedures, and rules or commit other serious offenses, misconduct or related infractions.

DEFINITIONS

Relief of Duty: Status where a MOS is removed from a current status and not required or permitted to perform any official or Department sanctioned duty or assignment, other than administrative duties as defined in this policy.

Internal Affairs Investigation: An in-depth investigation in which all pertinent facts are gathered and impartially and thoroughly reported through the Department's Internal Affairs process, (i.e. a series of steps used to conduct a review for possible misconduct by a MOS).

Administrative Leave: Leave, other than vacation, sick, bereavement, comp time, or emergency, with or without pay.

STANDARDS AND PROCEDURES

A. Relief of Duty by a Supervisor

1. Any supervisor or command officer may relieve a MOS from duty, with pay, when the supervisor/command officer has good cause to believe the individual is physically or psychologically unfit for duty.
 - a. Refer to, Fit for Duty 2-1-9; and,
 - b. Limited Duty 2-1-8,
2. Should the Department become aware of any complaint or allegation of a violation(s) that upon observation would be considered a Class 1 Violation or where a summary review could possibly result in subsequent administrative sanctions against a MOS if the violations are sustained, a supervisor or command officer may relieve personnel from duty, with pay, pending final disposition of the Internal Affairs Investigation by the Chief of Police.
3. The supervisor or command officer, upon relieving a MOS of duty, shall notify the Chief of Police through the chain of command of this action, documenting the facts and reasons for removing a MOS from duty. Upon approval from the Chief of Police, the supervisor or command officer will do the following.
 - a. Collect all Department issued property and/or equipment from the MOS to include, but not limited to; weapons, badge, ID cards, keys, and Department vehicles.
 - b. Instruct the sworn MOS not to perform any law enforcement duties or responsibilities until further notice.
 - c. Instruct the MOS to immediately report to the Chief of Police to be placed on administrative leave during normal duty hours or if after normal duty hours, at the beginning of the next normal duty day. The Chief of Police may authorize a Deputy Chief or other designated Command Officer to serve the MOS with this notice.

B. Administrative Leave

1. The involved MOS shall be placed on immediate administrative leave when being relieved of duty based upon documented recommendations of the supervisor or command officer. The involved MOS should be served with a formal notification signed and authorized by the Chief of Police or his designee with instructions and directions as to the expectations and conditions of being placed on administrative leave. These will include:
 - a. Nature of assignment, duty hours and immediate supervisor while on administrative leave.
 - b. If not assigned to any related administrative duties, expectations regarding availability for reporting to the station during normal business hours; and/or any other required medical, counseling, treatment or related directed course of action, during the period of administrative leave.
2. Administrative leave shall be with pay unless otherwise noted by the Chief of Police, such as following serious felony charges against the MOS.
 - a. MOS may utilize accrued paid time off during administrative leave at the discretion of the Chief of Police.
 - 1) MOS allowed to use such leave must respond to administrative directives and orders in a timely manner.
3. The supervisor serving the formal notification shall also ensure that the President of the Association and Human Resources are advised of the administrative leave.
 - a. Notice of proposed change in assignment or duty hours are not protected by any contractual agreements due to the need for an immediate remedy to avoid potential safety or liability issues for the Department and the City.



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C. Reinstatement

1. The period that an MOS shall remain on administrative leave and adhere to all conditions imposed should be consistent with the existing timelines for the completion of an Internal Investigation as outlined in the Department policy on Internal Investigations, II-4-2 and relevant City policy.
 - a. The Chief of Police may order reinstatement of a MOS from administrative leave prior to the conclusion of an Internal Investigation at any time there is sufficient evidence or reason to indicate the MOS can return to their normal or previously held assignment pending the outcome of the Internal Investigation without incurring risk to the reputation or operational efficiency of the Department.
 - b. The Chief of Police may order the reinstatement of an MOS from administrative leave upon the conclusion of an Internal Investigation where the violations are sustained and other disciplinary sanctions are imposed against the MOS.
 - c. The Chief of Police may order the reinstatement of a MOS from administrative leave upon the conclusion of an Internal Investigation where the violations are not sustained and any criminal matters have been concluded in the favor of the MOS.
 - d. The Chief of Police may order the reinstatement of a MOS from administrative leave upon the conclusion of any Fit for Duty psychological follow up, treatment, or intervention plan upon receiving notification from the Department psychologist providing clearance for a return to a normal duty assignment.

D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

It is the purpose of this policy to provide MOS with guidance on the proper use of computers, cellular telephones and related electronic messaging systems utilized in the Department for purposes of disseminating communications, electronic mail, utilizing services of the Internet and related electronic message transmission, recording and storage devices.

The Department provides and utilizes a wide range of electronic messaging devices to meet the communication needs of the Department and community, enhancing productivity and effectiveness. These technologies also entail the opportunity for rapid transfer and broad distribution of sensitive information that can also have damaging effects on the Department, MOS, and the public if not managed properly. Therefore, it is the policy of the Department that all members abide by the guidelines set forth herein when using computers and the services of both internal and external databases and information exchange networks, and where applicable, cellular telephones and text messaging, voice mail, mobile data terminals, and related electronic messaging devices. Personal electronic messaging devices to include PDA's, cellular telephones and lap top computers are authorized for use for Departmental business. Personally owned EMD's are not required or essential to the successful performance of the MOS's job function, and the ability to carry a personally owned EMD is a privilege. The Department is not responsible for repair, replacement or reimbursement for use of personally owned EMD's.

Any misuse of electronic messaging devices is prohibited, and violators are subject to disciplinary action.

DEFINITIONS

Electronic Messaging Device (EMD): For purposes of this policy electronic messaging devices include, but are not limited to, computers, electronic mail systems, voice mail systems, telephones, digital cellular telephones, paging systems, Internet and Intranet services, mobile data terminal, video conferencing, Personal Digital Assistants (PDA) and facsimile transmissions.

System Administrator: For purposes of this policy, the member of this Department, or the employee of the City designated with responsibility for managing all aspects of electronic messaging through individual computers and computer networks within the Department. The System Administrator will also facilitate the authorization and training of Department personnel.

STANDARDS AND PROCEDURES

A. General

1. The following procedures apply to all media which are:
 - a. Accessed on or from Departmental premises, including city vehicles
 - b. Accessed using Department computer equipment or Department paid access methods,
 - c. Communications that make reference to the Department in any manner, and
 - d. Used in a manner that identifies the MOS as being with the Department.
2. Transmission of electronic messages and information on communications media provided to MOS shall be treated with the same degree of propriety, professionalism, and confidentiality as official written correspondence, or verbal communication.
 - a. The use of profane or vulgar language will not be tolerated.
 - b. Any communication which could be interpreted as rude, discriminating, harassing or otherwise inappropriate will not be tolerated.
3. Accessing or transmitting materials (other than that required for Department business) that involves the use of obscene language, images, jokes, sexually explicit materials, or messages that disparage any person, group, or classification of individuals is prohibited.
4. The Department encourages authorized and trained personnel with access to EMD's to utilize these devices whenever necessary. However, use of any of these devices is a privilege that is subject to revocation.
5. MOS are advised that they do not have any right to privacy in Department EMD equipment or its contents.
 - a. The Department will monitor information contained in EMD's and may require MOS to provide passwords to files that have been encrypted or password protected.
 - b. The Department shall access, for quality control purposes and for compliance with this policy, electronic and voice transmissions of MOS over City or Department equipment.
 - c. MOS shall not conduct personal business, including accessing wireless internet, games, other entertainment or non departmental business while on duty.



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- d. The Department reserves the right to approve or ban the use of personally owned equipment while on duty.
 - 6. Computer and equipment repairs shall be made by Department authorized and approved sources.
 - 7. EMD's may not be used for commercial activities, religious causes, charitable solicitations, political activity, support for outside organizations, or other activities not related to Departmental business unless authorized by the Chief.
 - 8. Under no circumstances will any restricted law enforcement system, including but not restricted to NCIC, be accessed for personal use.
- B. Mobile Data Terminals (MDT)
- 1. Dedicated computers used in Departmental vehicles (MDT's) are Departmental property and shall be used only for official Departmental business.
 - 2. MOS shall not install any unauthorized software on a MDT or other Department equipment.
 - 3. MOS shall not willingly damage or permit computers to be damaged, or allow unauthorized persons to tamper with or operate the computer.
 - 4. MOS shall secure their vehicles to preclude the theft of, unauthorized use of, or tampering with the MDT. If the MDT cannot be secured in its locking port, then it should be locked in the trunk of the vehicle, or otherwise secured by the MOS.
 - 5. MOS shall exercise reasonable care in the use of MDT's to minimize excessive wear or damage.
 - 6. Food and liquids should be kept away from the MDT at all times.
 - 7. MOS experiencing problems with the routine function of their MDT should notify their supervisor and Communications as soon as practical.
 - 8. Routine inspections of the MDT will be conducted to ensure compliance with this policy.
 - 9. Routine audits of car-to-car message transmissions will be conducted and appropriate action will be taken when violations of this or any other procedure are found.
 - 10. MOS shall remember operation of the vehicle is paramount to reading the MDT screen or interacting with the keyboard while the vehicle is in motion.
 - 11. Department vehicles shall not be jump started or used to jump start another vehicle with the MDT installed and connected to a power source.
- C. Cellular Telephones (including text messaging)
- 1. To enhance communication the Department utilizes cellular telephones. Cellular telephones are an augmentation to the Department's communication system, not a substitute for radio and MDT transmissions through the regional communications center.
 - 2. All MOS shall recognize that Department issued cell phones are subject to inspection by the chain of command at any time and the user does not have specific rights to privacy over any content contained on the phone or data accessed by the phone.
 - a. All standards and procedures regarding the transmission and storage of electronic media and messages via Department cellphones shall be under the same standards of propriety, professionalism, and confidentiality.
 - 3. Any division or unit of the Department may place further restrictions on cellular telephone use, up to and including banning the use of cellular telephones.
 - 4. MOS shall carry their Department issued cellphones on their person while on duty and respond to them when able without sacrificing situational awareness or contrary to Department standards and procedures.
 - a. While off duty, MOS will not be required to carry their Department phone or answer it, unless their specific duties or on-call status require it. If the MOS chooses to, they are welcome to keep the phone on and use it for Departmental purposes (E-Mail, phone calls, etc.). All policies regarding the use of cellphones shall remain in effect while the MOS is off duty.
 - 5. MOS should not use cellular telephones when other means are available and appropriate. MOS are to be cognizant of the time spent on the cellular telephone and minimize that use.



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6. Department cellular telephones are authorized for limited personal use as long as there is no additional cost to the City and that use is reasonable.
 - a. Any financial charges incurred by the use of Department cellular telephones should be limited and clearly linked to the necessity to use cellular telephones when other alternatives are not readily available or appropriate.
 - b. MOS may be responsible for additional charges incurred by the Department when the additional charges are in part or wholly the result of MOS's personal use or misuse.
 - c. MOS are not authorized to utilize streaming video oriented websites (Examples: YouTube, Netflix, Hulu, Amazon). If a legitimate need arises to access this type of site, it should be done at the station
 7. While operating a Department vehicle, MOS shall only use cellular telephones with a "hands free" device.
 8. MOS shall minimize disruption of their surroundings while using cellular telephones.
 - a. MOS shall ensure their cellular telephone ringer is set to vibrate, silent or manner mode when in meetings, training, court, or any other public areas.
 - b. In such settings, MOS shall monitor their voice level and tone, as well as other circumstances which would be annoying or intrusive.
 9. The Department may conduct periodic audits of Department issued cellular telephone use.
 10. MOS on duty shall restrict their cellular telephone calls to Department business. Personal cellular telephone use is restricted to approved break and meal periods; however the Department recognizes that personal emergency situations arise when it may be necessary to respond to a personal cellular telephone call.
 11. The Department cellphones will have tracking/communications/incident command software installed. Tampering or bypassing said software is not authorized and shall be used as directed.
 - a. When an MOS exits their unit, they shall take their Department issued phone with them
 12. If an MOS no longer has possession of the Department issued phone (theft, loss, or damage), MOS shall immediately inform their chain of command.
 13. The Department Vehicle Operation Standards and Procedures (Section VII, 2, 1, C) shall apply to both personal and Department issued cellphones.
- D. Security
1. MOS shall not download or install on the Department computers or network terminals any file (including sound and video files and files attached to e-mail messages from unknown sources), software, or other materials from the Internet or other external sources without consulting the System Administrator. In no case shall external materials or applications be downloaded directly to any shared (network) drive. When in doubt, members shall consult the System Administrator for guidance.
 2. MOS shall maintain the highest level of security in the interest of the Department's efforts to preserve accurate and confidential records within files and database programs. Confidential, proprietary, or sensitive information may be disseminated (or made available through shared directories or networked systems) only to individuals with a need and a right to know, and when there is sufficient assurance that appropriate security of such information will be maintained. Such information includes, but is not limited to, the following:
 - a. Personnel information, such as salary, performance reviews, complaints, grievances, misconduct, disciplinary information, medical records, or related employee information.
 - b. Criminal history information and confidential informant master files, identification files, or related information.
 - c. Intelligence files and information containing sensitive tactical and undercover information.
 3. No MOS shall access or allow others to access any file or database unless that person has a need and a right to such information.
 - a. Personal identification and access codes shall not be revealed to any unauthorized person. Each individual user shall have their own unique password(s) that will not be shared with others. Identification and access codes, usernames and passwords shall, however, be provided to authorized personnel of the Department upon request for administrative purposes.
 - b. An EMD is designed and intended to conduct business of the Department and is restricted to that purpose. Installation of or access to software for purely entertainment purposes is prohibited.



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- c. MOS shall not permit unauthorized persons to use the Department's EMD's, MDT's, computers or electronic mail system.
- 4. MOS shall not attempt to read or "hack" into other systems or logins, "crack" passwords, breach computer or network security measures, or monitor electronic filings or communications of other employees or third parties except by authorization given by the Chief or within the scope of the MOS's assigned duties.
- 5. EMD's may not be used in a manner that is likely to cause network congestion or significantly hamper the ability of other city employees to access and use the system. This includes, but is not limited to, chain e-mails and mass e-mail transfers.
- 6. Any hardware enhancements or additions to Department-EMD's must be approved and authorized by the system administrator.
- 7. To avoid breaches of security, MOS should log off any EMD that has access to the Department's computer network, e-mail system, the Internet and intranet, or sensitive information whenever they leave their work station.

E. Copyrighted Material

- 1. MOS shall observe the copyright and licensing restrictions of all software applications and shall not copy software from internal or external sources unless legally authorized.
 - a. Any software for which proof of licensing (original disks, original manuals and/or license) cannot be provided is subject to removal by the system administrator.
 - b. Privately owned software may be loaded on Department EMD's only if approved by the system administrator.
 - c. Privately owned software may be removed if it conflicts with Departmental hardware or software, interferes with the ability of other members to access or utilize the EMD, or occupies excessive storage space needed by the Department.
- 2. MOS shall be cognizant of copyright and licensing issues and may not copy, retrieve, modify, or forward materials that they knew or should have known were protected by copyright or other intellectual property rights, except as permitted by the owner of those rights.
- F. In addition to the provisions of this procedure, all MOS shall familiarize themselves and comply in all respects with the City of Rio Rancho Information Systems and Internet Usage Policy (Chapter 11, Article 1) and E-Mail Usage Policy (Chapter 11, Article 2), except as may be specifically authorized by the Chief or within the scope of the MOS's assigned duties, and with applicable standards of the Criminal Justice Information Services Division of the FBI (when accessing CJIS resources such as NCIC).

G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Social Media

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GENERAL STANDARD

Use of internet social networking sites (MySpace, Facebook, Twitter, etc.) is a popular activity; however, employees must be mindful of the negative impact of inappropriate or unauthorized postings upon the Rio Rancho Police Department and its relationship with the community. This standard identifies prohibited activities by MOS on such web sites.

STANDARDS AND PROCEDURES

A. Purpose and Scope

1. To establish policy concerning personal web pages or internet sites when referencing the Rio Rancho Police Department, and to ensure MOS uses appropriate discretion so as not to discredit the Department.
2. To clearly identify prohibited activities by MOS on social networking and other web sites, both on and off duty.
3. To provide guidelines for MOS in applying rules of conduct to their online content.
4. To protect the Department and the MOS from harm as the result of inappropriate postings or inadvertent harmful postings.
5. To maintain order and discipline within the Department, ensure efficient operations, and maintain community trust and respect.
6. Professionalism, ethics, and integrity are of paramount importance in the law enforcement community. To achieve and maintain the public's highest level of respect, we must place reasonable restrictions on our conduct and hold to these standards of conduct whether on or off duty. An MOS' actions must never bring the Department into disrepute, nor should conduct be detrimental to its efficient operation.
7. To ensure that the release, either directly or indirectly, of information concerning crimes, crashes, or violations ordinances or statutes to persons outside the department is not disseminated, and that all MOS treat the official business of the Department as confidential.

B. Prohibited Activity and Guidelines

1. Except in the performance of an authorized duty, MOS shall not post, transmit, reproduce, and/or disseminate information (text, pictures, video, audio, etc.) to the internet or any other forum, public or private, that would tend to discredit or reflect unfavorably upon the Department or any of the Department's MOS.
2. Except in the performance of an authorized duty, MOS use of Department computers to access social networking sites (Facebook, MySpace etc.), blogs or bulletin boards is prohibited.
3. Posting the following types of criminal justice information to social networking sites is explicitly prohibited:
 - a. Confidential, sensitive, or copyrighted information to which you have access due to your employment with the City.
 - b. Data from criminal or administrative investigations including photographs, videos, or audio recordings.
 - c. Photographs of suspects, arrestees or evidence.
 - d. Personal statements about an on-duty use of force incident.
 - e. Comments related to pending prosecutions.
4. MOS are prohibited from posting content that is inconsistent with the duties and obligations of a member of the Rio Rancho Police Department. For example, racist or sexist comments, comments insulting groups on the basis of national origin or other affiliations, all tend to undermine the public trust and confidence required by the Rio Rancho Police Department.
5. MOS are prohibited from posting, transmitting, and/or disseminating any pictures, videos or text messages that pertain to official Department training, activities or work related assignments, without the express written permission of the Chief of Police or his designee.
6. MOS who decide to identify themselves as a Rio Rancho Police employee, shall be clear that they are expressing their own views and not those of the City or the Department. Do not give the appearance that you are speaking or acting on the City's or Department's behalf.
7. Negative comments on the internal operations of the Department, or specific conduct of supervisors or peers that impacts the public perception of the department is not protected First Amendment speech, in accordance with established case law.
8. Do not post content that would violate the City's policy against sexual harassment or racial intolerance of other MOS.
9. If MOS choose to be pictured in uniform, a link has been created between online content and employment with the Rio Rancho Police Department.



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10. The posted content of a MOS has the potential to be shared broadly, including with individuals with whom the MOS did not intend to communicate. For example, opposing counsel may subpoena MOS' posts if they are relevant to a lawsuit related to official duties. Counsel may also use MOS' posts to impugn reputation or to show bias. The Department strongly urges MOS to be mindful of the content of off duty activity to social networking sites. Questionable posts may bring the reputation of a MOS into question, even if taken out of context. Attorneys can use such information for impeachment purposes.
 11. MOS may comment on issues of general or public concern (as opposed to personal grievances) so long as the comments do not disrupt the workplace, interfere with important working relationships or efficient work flow, or undermine public confidence in the MOS. The instances must be judged on a case-by-case basis.
 - a. Matters of public concern are those matters of interest to the community as a whole, whether for social, political or other reasons.
 - b. MOS have a statutory right to express opinions on matters of public concern to state or local officials regardless of the impact on the workplace.
 - c. Examples of local issues of general or public concern include the budget, spending priorities, any question scheduled for a public hearing, illegal discrimination, official corruption, official impropriety, malfeasance on the part of government officials, misuse of public funds, waste of public funds, fraud, abuse or gross mismanagement, inefficiency in managing and operation of government agencies, violations of law, and local election or public safety.
 - d. Examples of state or national issues of general or public concern include election campaigns, elected officials, legislation, national security, budgets, foreign policy, or any topic of broad public interest or debate. Examples of personal grievances include disciplinary action, work schedule, morale, and complaints about supervisors or co-workers, illegal discrimination, corruption or waste.
 12. Sites deemed inappropriate, bringing discredit to this Department or to a MOS, or promoting misconduct, whether on or off-duty, may be investigated.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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HARRASSMENT IN THE WORKPLACE

GENERAL STANDARD

Harassment in the workplace lowers morale, limits productivity, and represses emotional well-being. Contrary to the Department's mission, to allow any type of harassment in the workplace would lead to an inefficient and ineffective service. Therefore, the Department is committed to provide a work environment where MOS can perform free from all forms of harassment and will not tolerate its existence.

STANDARDS AND PROCEDURES

A. Prohibited Activity

1. No MOS shall either explicitly or implicitly ridicule, mock, deride or belittle any person.
2. MOS shall not make unwanted offensive comments or offensive jokes based on race, color, sex, religion, national origin, or ethnicity directly or indirectly to another MOS.
3. Sexual harassment (for example, unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature) is strictly prohibited.
 - a. Submission to such conduct shall not be made either explicitly or implicitly a term or condition of employment.
 - b. Submission to or rejection of such conduct by an MOS shall not be used as the basis for employment decisions affecting that MOS or another.
 - c. Unwanted physical touching will be prohibited unless required in the performance of duty.
4. Any conduct that has the purpose or effect of unreasonably interfering with an MOS's work performance or creating an intimidating, hostile, or offensive work environment is strictly prohibited.
5. Any retaliatory conduct against any MOS who complains of harassment, or participates in an investigation of harassment, will not be tolerated.

B. Support Group

1. A support group consisting of four volunteer members shall be established and maintained for providing emotional and procedural support to MOS.
 - a. The Support Group will consist of non-exempt male and female MOS.
 - b. Members shall be designated as permanent members by the Director and their terms shall not expire except by resignation, termination from employment, advancement to an exempt rank, or by order of the Director.
 - c. When positions become available, the chairperson shall post the openings. MOS seeking appointment as a member of the Support Group shall submit a letter of interest and qualifications to the chairperson.
 - d. From the letters submitted, the Support Group members shall select MOS for appointment. The MOS selected are subject to approval by the Director.
2. The Support Group is not an investigative body, and does not have the authority to conduct follow-ups or gather information beyond interviewing the MOS alleging harassment. The purpose of the Support Group is to provide guidance to any MOS who may have been subjected to harassment in the workplace. The Support Group shall:
 - a. Inform the MOS on the existing policy and their rights,
 - b. Assess the issues that prompted the MOS to come forward to determine the validity of a harassment allegation,
 - c. Give notice to the MOS in those incidents where the alleged act(s) clearly do not constitute harassment,
 - d. Provide the MOS with alternatives consistent with this or other Department policies in those incidents where the alleged acts do not constitute harassment,
 - e. Provide appropriate recommendations for a quick resolution of the situation,
 - f. When an MOS desires to file a formal complaint, assist the MOS with documenting and filing a complaint of harassment, and
 - g. Provide emotional support, which may include accompanying the MOS to meetings with an investigator, supervisor, or other MOS when requested.
 - 1) During a formal investigative process, the support group member's role shall remain consistent with the Internal Investigation policy.



RIO RANCHO

POLICE

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HARRASSMENT IN THE WORKPLACE

- 2) During informal meetings, the support group member's role shall not be restricted.

3. Confidentiality

- a. MOS who utilize the Support Group are afforded a limited amount of confidentiality. When a harassment complaint results in a formal complaint, an internal affairs investigation, or a criminal investigation, the contents of such meeting(s) shall be disclosed at the request of an investigator.
 - 1) Information obtained as part of an internal or criminal investigation shall remain confidential to the extent possible by law.
 - 2) Members of the support group shall not disclose information regarding harassment complaints to other MOS except the Support Group, excluding MOS assigned to investigate the complaint, or other MOS consistent with this policy.
- b. Whenever the Support Group or one of its members becomes aware that an MOS may be involved in, or was involved in, criminal conduct or a serious violation of policy, they shall immediately notify the Director of the circumstances.

C. MOS's Responsibilities

1. All MOS are responsible for assisting in the prevention of harassment through the following acts:
 - a. Refraining from participation in, or encouragement of, actions that could be perceived as harassment;
 - b. Reporting acts of harassment to a supervisor;
 - c. Encouraging any MOS, who confides that he is being harassed, to report these acts to a supervisor or the Support Group; and
 - d. Immediately discontinue any activity, which they have been informed by another MOS is offensive, unwanted or unwelcome.
2. Each supervisor shall be responsible for recognizing and controlling acts of harassment. This responsibility includes:
 - a. Monitoring the unit work environment on a daily basis for signs that harassment may be occurring,
 - b. Counseling all MOS on the types of behavior prohibited and the Department procedures for reporting and resolving complaints of harassment,
 - c. Stopping any observed acts that may be considered harassment and taking appropriate steps to intervene, whether or not the involved MOS is within his line of supervision,
 - d. Taking action when deemed necessary to limit the work contact between two MOS where there has been a complaint of harassment that is pending investigation, and
 - e. Assisting any MOS with documenting and filing a complaint of harassment when requested.
3. Failure to take action to stop known harassment shall be grounds for discipline.

D. Complaint Procedures

1. MOS encountering harassment should first attempt to discourage the activity by informing the offending MOS that their actions are offensive, unwanted or unwelcome.
2. If the MOS intends to file a complaint, the MOS shall:
 - a. Promptly record the circumstances comprising the incident in order to facilitate the investigation process.
 - b. Report the incident(s) to a supervisor or seek the guidance from the Support Group as soon as possible so that steps may be taken to protect the MOS from further harassment, and appropriate investigative and disciplinary measures may be initiated. Where this is not practical, an MOS may instead file a complaint with the City Personnel Department or the Director.
3. The supervisor or other person receiving the complaint shall:
 - a. Attempt to resolve the incident(s) at the lowest level;
 - b. Document the incident(s), the MOS(s) who performed or participated in the harassment, and the dates on which it occurred;
 - c. Document any attempts or results to resolve the incident(s); and
 - d. Deliver the complaint and documentation promptly through the chain of command to the Director.



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4. MOS who choose to accumulate information over an extended period, in lieu of prompt reporting, may in effect impair the legitimacy of their claim.
5. Incident(s) of harassment shall only be considered resolved at the first line supervisory level when a reasonable solution is accepted by the complainant.

E. Investigating Harassment Complaints

1. The Director shall initiate an investigation of incident(s) when all other means of resolution have been exhausted.
 - a. The complaint, including all information and documents pertinent to the complaint, shall be confidential.
 - b. The investigation shall determine whether other MOS are being harassed by the person, and whether other MOS participated in, or encouraged the harassment.
 - c. The Director shall inform the parties involved of the outcome of the investigation.
 - d. The file of harassment complaints shall be maintained by the Director or his designee in a secure location.
2. There shall be no retaliation against any MOS for filing a harassment complaint, or assisting, testifying, or participating in the investigation of such a complaint.
3. Complainants or MOS accused of harassment may file a dispute or appeal in accordance with procedures when they disagree with the investigation or disposition of a harassment complaint.
4. This policy does not preclude MOS from filing a complaint or grievance with an appropriate outside agency.

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant polices and procedures.



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STANDARDS AND PROCEDURES

SECONDARY EMPLOYMENT

Section: 2
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GENERAL STANDARD

Limiting employment in which MOS may engage is essential for the efficient operations of the Department and for the protection of the community. The critical mission of the Department justifies the regulation of secondary employment. The Department outlines four factors that justify this regulation.

First, the public has a right to expect that the Department's MOS are both physically and mentally prepared to assume the duties within the public safety profession. It is vital that MOS are not impaired when operating emergency vehicles, deadly weapons, defensive tools, or other equipment. Participation in secondary employment may impair job performance and hinder the public's right to a competent service. An MOS working two jobs may lead to physical or mental exhaustion.

Second, since MOS are subject to call at all times, regulating secondary employment ensures that MOS are always available for emergency service.

Third, MOS's ability may be limited due to secondary employment that creates a work environment that is dangerous to other personnel. MOS who become restricted due to insufficient rest expose other personnel to a higher risk of injury. If an MOS is not completely alert and capable, the lives of other MOS and the public can be in jeopardy.

Finally, regulating secondary employment is justified in order to prevent conflicts of interest between public safety employment and secondary employment. Those who enforce the law should not become involved in secondary employment that either violates the law or which creates an appearance of impropriety.

Therefore, in order to ensure the integrity of the Department, to preserve its effectiveness in the public safety function, this Department shall regulate secondary employment.

STANDARDS AND PROCEDURES

A. Off-Duty Employment

1. MOS are prohibited from engaging in the following types of off-duty employment:
 - a. Employment of a law enforcement nature in which police powers are a condition of employment.
 - b. Employment where the work provides real or implied law enforcement services to the employer within Sandoval County, and
 - c. Employment that is performed during assigned hours of duty.
2. Employment that presents a potential conflict of interest between their duties within Sandoval County is prohibited. The following are examples of prohibited employment:
 - a. Process server, one who repossesses, bill collector, tow operator, bail bondsman, or any other employment in which law enforcement authority might tend to be used to collect money or merchandise for private purposes,
 - b. Investigations for the private sector or any employment, which may require access to police information, files, records or services as a condition of employment,
 - c. For a business or labor group that is on strike, and
 - d. In occupations that are regulated by, or that must be licensed through, the Department.
3. Employment that assists, in any manner, the case preparation for the defense in any criminal proceeding or any civil action against a government entity is prohibited.
4. Off-duty employment that tarnishes the status or reputation of the Department is prohibited. The following are examples of prohibited employment:
 - a. Employment within an establishment which primarily sells pornographic books, magazines, sexual devices, or videos, or that otherwise provides entertainment or services of a sexual nature, and
 - b. Employment within an establishment, which sells open containers of alcoholic beverages as the principal business.
5. MOS are prohibited from participating in off-duty employment that involves television, radio, or other media to promote products, goods or services, when, the MOS's position or assignment causes the MOS to be readily identifiable as a member of the Department. This type of employment may impair the MOS's credibility when needed to address the public or represent the Department on matters of public safety concern.

B. Secondary Employment Limitations

1. In order to be eligible for secondary employment, MOS must be in good standing with the Department. Continued approval of MOS's secondary



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employment is contingent on such good standing.

2. MOS who are on medical or other leave due to sickness, temporary disability, or injury shall not be eligible to engage in off-duty employment until one day after the MOS's return to regularly scheduled duty.
3. Work hours for secondary employment must be scheduled in a manner that does not conflict or interfere with the MOS's job performance. No special consideration shall be given to scheduling of the MOS's regular duty hours.
4. MOS engaged in secondary employment are subject to call-out in case of emergency and may be expected to leave their secondary employment in such situations.
5. Permission for a continued secondary employment may be revoked where it is determined that such employment is not in the best interests of the Department.
6. MOS shall not use any Department equipment, records or vehicles for the purposes of off-duty employment.

C. Requesting Off-Duty Employment

1. To request for off-duty employment, MOS shall submit the Off-Duty Employment Approval Form and the Hold Harmless Agreement Form through the chain of command to the Chief.
2. MOS shall also submit the aforementioned forms for annual approval.
3. The Chief's approval must be given before engaging or continuing in off-duty employment.

D. Extra-Duty Employment

1. MOS may engage in extra-duty employment where an entity has a contract or agreement with the Department for MOS in, or out of, uniform. MOS are authorized to exercise their police or other public safety duties.
2. The rate of pay shall be established by the Chief and shall not be considered as regular hours worked.
3. MOS engaging in extra-duty employment shall adhere to all Department rules, regulations, policies, and procedures.

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant polices and procedures.



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Section: 2
Chapter: 2
Article: 6

PROBATIONARY PERIOD

GENERAL STANDARD

Newly hired and promoted MOS shall be subject to a probationary period.

STANDARDS AND PROCEDURES

A. Law Enforcement

1. Newly hired MOS shall be on a probationary status from their date of hire.
2. MOS with current New Mexico law enforcement certification shall begin their 12-month probation and evaluation period from their date of hire.
3. MOS without current New Mexico law enforcement certification shall begin their 12-month probation and evaluation period upon certification.
4. Newly promoted MOS shall be on a 12-month probationary status from their date of promotion.

B. All other MOS, sworn or not sworn, are subject to probationary periods as specified in the City Policies or current labor organization contract.

C. Probationary periods will be subject to the following:

1. Newly hired MOS may be terminated from employment with the Department at any time, for any valid reason, without recourse, and are not eligible to utilize the appeals procedure as described in the city work rules.
2. Newly promoted MOS may be demoted to the MOS's previously held position, for any valid reason, without recourse, and are not eligible to utilize the appeals procedure as described in the city work rules.
3. The Chief retains the sole final authority concerning terminations and demotions.
4. The probationary period may be extended at the discretion of the Chief for a period, not to exceed 6 months, for further evaluation or training.

D. Probationary periods lasting more than one year do not affect the MOS's annual performance appraisal date.

E. Probationary periods lasting more than one year shall not affect an MOS's step pay increase unless:

1. The probationary period is due to a promotion, or
2. The extended probationary period is the result of unsatisfactory performance and consistent with the current labor contract.

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

HIRING RATES

Section: 2
Chapter: 2
Article: 7

GENERAL STANDARD

The Department recognizes that some employment candidates have more education, training and skills than others. The Department therefore establishes its hiring rates to facilitate attracting additional qualified candidates for employment and to allow for consistency in its hiring practices.

An agency that has at its core mission to provide the services of law enforcement, crime prevention and suppression, or emergency communications.

STANDARDS AND PROCEDURES

A. Established Hiring Rates – Police

1. Candidates that are hired by the Department that are not certified police officers shall be hired at the cadet level grade.
2. Candidates that are hired by the Department that are certified police officers of New Mexico or certifiable by waiver as recognized by the State Law Enforcement Training Academy shall be hired at the police officer grade and at an appropriate step which is determined as follows:
 - a. Candidates will be given credit for one year for every two years of service with another paid, recognized law enforcement agency to a maximum equal to that of a - ten year officer. This section does not apply to hiring back retired officers.
 - b. Former certified Rio Rancho Police Department MOS will be given credit for all prior years of service minus one.
3. Former MOS may also be given additional credit when they had worked for another agency as indicated above.
4. Former Rio Rancho Police Department MOS may be hired beyond the step ten-year range.

B. Established Hiring Rates – Communications

1. Candidates that are hired by the Department that are not certified communications operators of New Mexico shall be hired at the cadet level grade.
2. Candidates that are hired by the Department that are certified communications operators of New Mexico shall be hired at the communication grade and at an appropriate rate, which is determined as follows:
 - a. Candidates will be given one year of credit for every two years of service with a recognized agency to a maximum equal to that of five year dispatcher.
 - b. Former certified Rio Rancho Police Department MOS will be given one step for each year of prior service minus one. Former MOS may also be given additional credit when they had worked for another recognized agency as indicated above.

C. In calculating the years of service credit for partial years, the number shall be rounded up if the candidate has one half or more of a year service, and rounded down if less than one half a year.

D. Approval

1. Police Candidates hired above the entry level rates up to the-ten year rate, require the City Administrator's approval.
2. Police Candidates hired above the ten year rate require the City Administrator's and Mayor's approval.
3. The following factors will also be considered when determining final hiring and pay rate for candidates seeking lateral entry:
 - a. Size of former agency
 - b. Training/experience
 - c. Skills, Knowledge and Abilities
 - d. Assignment history/profile
 - e. Recent performance evaluations
 - f. Three supervisory Letters of Recommendation
 - 1) Direct supervisor
 - 2) Must have supervised candidate during the two years preceding application.



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STANDARDS AND PROCEDURES

Section: 2
Chapter: 2
Article: 8

RISK MANAGEMENT AND ANALYSIS**GENERAL STANDARD**

The purpose of this policy is to set forth policies and procedures for risk management, analysis and liability protection. A comprehensive risk management system will use regularly collected information on losses and exposures to prevent and suppress employee injuries, lawsuits and liability exposure. Risk analysis should provide useful information to aid personnel in safely meeting their operational and tactical objectives, by identifying and analyzing loss causation factors, proving loss trend measures and the development of prevention strategies. The overall intent of this policy is to maintain authorized strength levels and reduce the Department's cost of risk.

POLICY

It is the policy of the Rio Rancho Police Department to review issues and conditions that affect risk and liability. In carrying out this policy, the Chief of Police will appoint a member of the Office of Professional Standards to conduct an annual risk assessment of the Department's policies, procedures and facilities; the member conducting the annual assessment shall submit a written report of the findings and suggestions to the Chief of Police.

STANDARDS AND PROCEDURES

- A. The Chief of Police is vested with the authority and responsibility for Police Department risk management. The Chief of Police may designate a member of the Office of Professional Standards or of the Command Staff to assume authority for these matters but the final responsibility rests solely with the Chief of Police.
 1. Supervisors should submit documentation through the chain of command to the Chief of Police anytime an employee is involved in an incident where there may be a question as to agency liability.
 2. The report shall be reviewed by the Chief of Police who shall have the designated member of the Command Staff investigate the incident, as necessary; and ensure that incident related policy, training and disciplinary issues have been adequately addressed.

B. Risk Management Duties and Responsibilities

1. The Police Department risk management function is responsible for the oversight for the following concerning liability and risk:
 - a. Ensuring adequate liability coverage.
 - b. Annual review and report of agency risk and liability issues.
 - c. Review of policies and procedures.
 - d. Oversee complaint procedures and disciplinary actions.
 - e. Periodic review of the facility and grounds for risk-related concerns.
 - f. Ensuring proper forms are prepared for job-related injuries.
 - g. Reviewing workman's compensation claims.
 - h. Annual documented reports and summaries of the following:
 - 1) Supervisory reviews,
 - 2) Use of force incidents,
 - 3) Pursuit reviews,
 - 4) Crash Review Boards (CRB),
 - 5) Internal Investigations,
 - 6) Citizen Complaints,
 - 7) Performance Improvement Plans (PIP),
 - 8) Critical Incident Review Boards (CIRB),
 - 9) Tort claims, civil law suits, etc,



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RISK MANAGEMENT AND ANALYSIS

- 10) Employee injuries,
 - 11) Blood-borne pathogen exposures, and
 - 12) Early Intervention System notifications
 - 13) The Risk Management Coordinator will work with the City's Human Resources Department on any employment-related risk management issues, including but not limited to the following:
 - (a) Substance Abuse Policy/Random Drug and Alcohol Screening.
 - (b) Employee Assistance Programs.
 - (c) EEOC matters.
 - (d) Workplace Violence/Harassment issues.
 - (e) Americans with Disability complaints.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 1
Article: 1

ORGANIZATION AND FUNCTION**GENERAL STANDARD**

New Mexico State Statute, Section 3-12-3, provides that the City shall adopt rules and regulations necessary to administer the powers granted the City. Rio Rancho Municipal Ordinance provides that the Chief is authorized to make and implement rules and regulations. As a result, the Standards and Procedures are hereby approved and adopted for the necessary organization and function of the Department.

STANDARDS AND PROCEDURES

- A. A chain of command shall be established to allow for the smooth and effective operation of the Department.
- B. Full-time and temporary positions, as approved by the governing body, shall be incorporated within the Department's organization and function.
- C. The Department shall assign responsibility for each function. The manner in which such responsibility has been assigned is set forth through the chain of command as indicated in the current organizational chart. Responsibility shall be accompanied by commensurate authority at every level.
- D. Authority for decision-making and action shall be developed to the lowest level possible. All MOS are held fully accountable for the use of delegated authority, as well as the failure to use it.
- E. The Department shall describe lines of authority and such functional and advisory relationships as necessary to facilitate good management principles.
- F. The principle of "Unity of Command" within all organizational components of the Department shall be followed. The concept of Unity of Command states that:
 1. All MOS shall be directly accountable to only one immediate supervisor, whenever possible,
 2. Only one person should be in overall command of any operation or incident; and
 3. In cases of emergency, a supervisor is not relieved of the responsibility to act, even though an MOS or incident is not under the supervisor's direct command.
 - a. A supervisor may assign an MOS, not in his direct command, with additional duties or responsibilities when it is in the best interest of the Department.
 - b. When assigning other MOS with additional duties or responsibilities, the supervisor shall notify the MOS's immediate supervisor as soon as practical.
- G. Wherever possible, the Department shall minimize the number of employees under the direct control of any given supervisor (in any case, no more than 15), in order to provide for effective direction, coordination, and control of MOS.
- H. The Department shall establish lines of authority, which shall be followed in all routine matters.
 1. However, supervisors may establish an open door policy.
 2. Under exceptional circumstances when normal lines of authority do not suffice, or pursuant to established Department policy MOS may seek advice and discuss problems with other supervisors.
- I. The Department shall be organized by components to provide an organizational structure. The organizational structure is outlined as follows:

Component

Department

Bureau

Division

Section

Unit/Squad

Detail



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 1
Article: 1

ORGANIZATION AND FUNCTION

- J. The Chief of Police will designate a representative to act as a liaison with the following agencies:
1. Municipal, Magistrate, and District Courts
 2. Juvenile Justice Board
 3. District Attorney's Office
 4. NM Probation and Parole
 5. Sandoval County Detention Center
 6. Bernalillo County Juvenile Detention Center
 7. FBI
 8. Sandoval County Sheriff's Department
 9. Rio Rancho and Sandoval County Fire/EMS
- K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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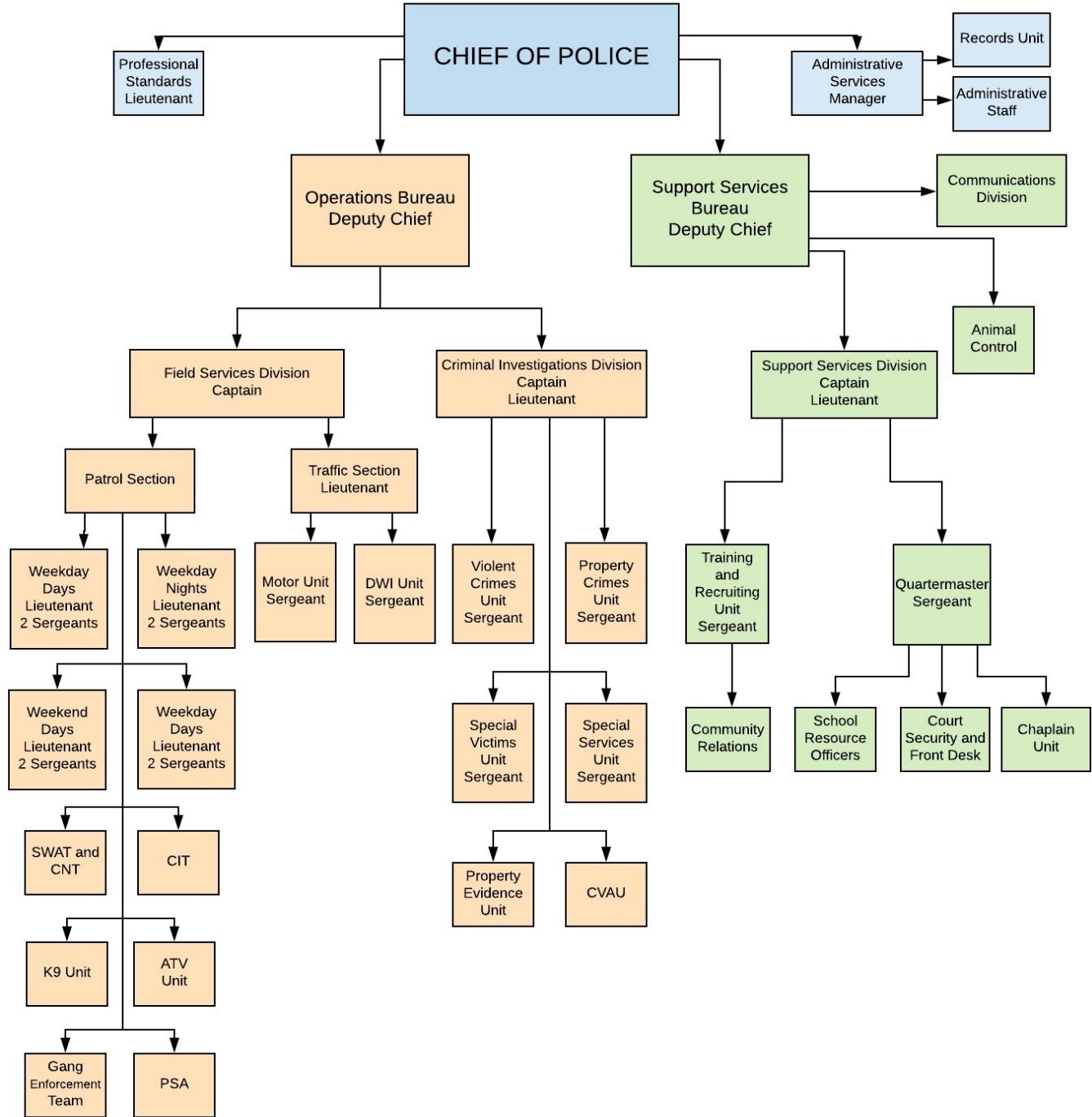
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STANDARDS AND PROCEDURES

Section: 3
Chapter: 1
Article: 2

ORGANIZATIONAL CHART





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STANDARDS AND PROCEDURES

Section: 3
Chapter: 2
Article: 1

SPECIAL COMMITTEES AND BOARDS

GENERAL STANDARD

In order to cultivate attitudes, values, and standards from all areas of the Department, and to promote a sense of involvement and importance for all MOS, the Department allows certain decision -making responsibilities and/or investigations to be conducted by specialized committees or boards.

STANDARDS AND PROCEDURES

- A. Specialized committees and boards shall consist of no less than three (3) MOS. These MOS may be temporary or permanent as appointed by the Chief.
- B. Specialized committees or boards shall be appointed or otherwise authorized by the Chief.
- C. Each committee or board shall have a chairperson who shall be responsible for the orderly operation and supervision of said committee. The chairperson is usually the highest-ranking MOS within the committee, or as otherwise appointed by the Chief.
- D. All MOS within the committee shall have equal voting power.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Section: 3
Chapter: 2
Article: 2

SOP COMMITTEE

GENERAL STANDARD

To accomplish effective and efficient means in carrying out the Department's mission, the Department shall form and maintain an SOP Committee to closely review its operational policies and facilitate the effective and efficient operations of the Department as set forth in standards, procedures, orders, and values.

STANDARDS AND PROCEDURES

- A. The SOP Committee, which is established by the Chief of Police, shall convene to review SOP's for needed revisions and implementation.
 1. It is the responsibility of the SOP Committee to review Department operational policies and procedures.
 - a. When assigned to create a new Standards and Procedures Section or to amend an existing policy, the SOP Committee is responsible for planning and research. Examples of planning and research include, but are not limited to:
 - 1) Research and consideration of IACP best practices;
 - 2) Research of national standards as articulated in an appropriate publication;
 - 3) Consultation with the City Attorney or another legal or policy expert;
 - 4) Research and review of other law enforcement agency policies and procedures;
 - 5) Recommendations from officers within the Department;
 - b. The Chair of the SOP Committee will make all assignments to the other committee members. Once the assignment is given, the expectation for the specific policy should be clear.
 2. All recommendations from the SOP Committee will be submitted to the Chief of Police for authorization.
 3. After authorization, the committee shall be responsible for forwarding the information to the appropriate labor organization as required by contract, and the proper dissemination and implementation of revised material.
 - B. Scheduled Meetings
 1. The committee shall meet on a regular basis as practical.
 2. The committee may be called upon by the Chief of Police, or his designee, for special sessions.
 - C. Committee Organization
 1. The committee shall be comprised of at least five members, which includes one executive level MOS with the rank of Captain or higher, two command MOS with the rank of lieutenant or higher, one sergeant, a representative from the Sandoval County Dispatch center, and at least one MOS below the rank of sergeant representing the Rio Rancho Police and Communications Association.
 2. The committee shall be chaired by the highest-ranking MOS.
 3. The Chief of Police shall have the final authority for determining committee members.
 - D. Any recommendations, questions, or comments regarding SOP's by MOS may be submitted in writing to the chairperson through any member of the committee indicating sections/subsections to be addressed.
 - E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

CRASH REVIEW BOARD

Section: 3
Chapter: 2
Article: 3

GENERAL STANDARD

The Crash Review Board shall review all motor vehicle crashes involving Department vehicles that do not result in death or great bodily injury.

STANDARDS AND PROCEDURES

- A. The Board shall consist of six members, four permanent members and two term members.
 1. Four members shall be designated as permanent members and their terms shall not expire except by resignation, termination from employment, or by order of the Chief.
 2. The two additional term members shall serve for a one-year period.
 3. Term positions shall be open to fulltime MOS who have successfully completed their initial probation period.
 4. MOS seeking appointment to the Crash Review Board shall submit a letter of interest and qualifications to the chairperson when openings are posted.
 - a. The chairperson shall select MOS for consideration and forward the recommendation to the Chief.
 - b. The Chief shall make the final decision on the appointments.
 - c. Members whose terms are ending shall not be eligible for reappointment. This restriction may be waived at the discretion of the Chief when no new applicants have applied.
 - d. Priority considerations shall be given to new applicants for appointment to allow as many interested MOS as possible an opportunity to serve on the Crash Review Board.
- B. The Board shall meet when necessary to review Department vehicle crashes.
 1. The immediate supervisor of the MOS involved in the crash shall submit a copy of the crash report (State Form) within 48 hours to the chairperson and shall assist in obtaining additional reports or information as needed.
 - a. A crash report shall be completed in every incident, involving a Department vehicle, where injury or damage is the result of at least one vehicle in transit.
 - b. Crashes involving only City property resulting in total damage of less than \$500.00 shall be documented on the crash report (State form), and filed exclusively in Department records.
 2. The chairperson shall review the crash report and make the determination for further review.
 3. The chairperson shall schedule reviews when necessary within fifteen days of receiving a copy of the crash report unless extenuating circumstances exist. In these cases, the chairperson shall document the reasons for the delay, and notify the affected MOS.
 4. To provide for consistency and fairness, a minimum of three members shall be present at each review.
 5. One member shall be designated as reporter, and shall type a report of the Boards review findings.
 6. Reviews should be scheduled at a time and place compatible with the members' assigned shifts.
- C. The Board shall review the evidence and facts of each crash and shall allow the driver/MOS the opportunity to appear at the review to make an oral statement, answer questions and/or present on their behalf, any relevant evidence, and persons who witnessed the crash. The driver/MOS shall be given a minimum of 3-business days advance notice of the review.
 1. The Board shall determine if the crash is chargeable or non-chargeable to the MOS.
 - a. A chargeable crash is any crash in which the final classification is B1 through F7.
 - b. A non-chargeable crash is any crash in which the final classification is A1 through A7.
 2. If found to be a chargeable crash, the Board shall document to what degree the MOS was negligent or accountable, and what acts or omissions constituted this negligence or accountability.
 3. The Board may interview, at its discretion, any person who witnessed the crash.
 4. Negligence findings shall not be used for subsequent criminal or civil proceedings to determine negligence of any MOS.



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- D. The Board should consider the following when determining the negligence severity:
1. Whether or not the MOS had a duty to act.
 2. To what extent the action or inaction was not what a reasonable or prudent person would do under similar circumstances.
 3. Whether or not the crash and resulting damages were foreseeable at the time of the occurrence.
- E. The Board shall consider the following when determining damage severity:
1. Repair and/or replacement costs of all collision and induced damage directly related to primary and secondary impacts.
 2. Repair and/or replacement costs of damaged property other than motor vehicles.
 3. Repair and/or replacement costs associated with occupant safety devices such as airbags or restraint devices will not be factored into the damage severity.
 4. Collateral damage that occurred as a result of airbag deployment will not be factored into the damage assessment.
- F. The Board shall consider all injuries sustained in the crash when determining injury severity.
- G. Crash Classification Table Definitions
1. Negligence Severity
 - a. **Class A** No negligence on the part of the MOS.
 - b. **Class B** MOS may be accountable to the slightest degree but found not to be negligent.
 - c. **Class C** MOS is negligent to a degree equal to other contributing factor(s).
 - d. **Class D** MOS is negligent to a degree more than equal to other contributing factor(s).
 - e. **Class E** MOS is negligent and there is no other contributing factor(s).
 - f. **Class F** Gross negligence where sufficient grounds substantiate that a MOS willfully and wantonly, with criminal intent, caused a crash.
 2. Damage Severity
 - a. **Class 0** No damage.
 - b. **Class 1** Damage less than \$1000.00.
 - c. **Class 2** Damage of \$1000.00 but less than \$2500.00.
 - d. **Class 3** Damage of \$2500.00 but less than \$7500.00.
 - e. **Class 4** Damage of \$7500.00 but less than \$12,500.00.
 - f. **Class 5** Damage of \$12,500.00 and above.
 3. Injury Severity
 - a. **Class 0** No injury.
 - b. **Class 1** Complaint of soreness or pain without visible injury.
 - c. **Class 2** A visible injury that does not create a high probability of death; or which causes serious disfigurement; or is not likely to result in a permanent or protracted loss or impairment of the function of any member or organ of the body.
- H. A final classification of the crash shall be determined by using the assessed negligence class with the combined damage and injury classes.
- I. The Board has the authority to fully investigate any Department crash as deemed necessary by the Chairperson. The Board may call upon an accident reconstructionist to provide cause analysis and assist the Board in its review.



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J. The Board's final report shall include the following:

1. A synopsis of the crash.
2. A brief justification on how the board determined negligence, injury, and damage.
3. The classification rating for negligence, damage, and injury.
4. The final classification.
5. Any violations of SOP's.
6. Prior history of MOS's involvement in Department vehicle crashes.
7. Signature of each member of the Board present at the meeting.
8. All other written reports relevant to the review.

K. The Board shall forward a copy of the report to:

1. The immediate supervisor of the MOS involved when the final classification indicates disciplinary or corrective action of a written reprimand or less. Within 72 hours of receiving the report, the commanding officer or supervisor shall issue appropriate corrective action consistent with the Crash Classification Table.
2. The Administrative Assistant for assignment to the Internal Review and Hearing Board, when the final classification indicates action beyond a written reprimand.

L. Crash Classification Table

CLASS	1	2	3	4	5	6	7
A	NO DISCIPLINARY ACTION WARRANTED						
B	DOCUMENTED VERBAL COUNSELING			WRITTEN WARNING			
C	DOCUMENTED VERBAL COUNSELING TO WRITTEN WARNING		WRITTEN WARNING	WRITTEN REPRIMAND			
D	WRITTEN WARNING TO WRITTEN REPRIMAND			FORWARD TO THE INTERNAL REVIEW AND HEARING BOARD			
E	WRITTEN REPRIMAND OR FORWARD TO INTERNAL REVIEW AND HEARING BOARD			FORWARD TO THE INTERNAL REVIEW AND HEARING BOARD			
F	FORWARD TO THE INTERNAL REVIEW AND HEARING BOARD						

N. Crash Classification Guide

1. A1 through A7 = No disciplinary action taken
2. B1 through B3 = Documented verbal counseling
3. B4 through B7 = Written warning
4. C1 through C2 = Documented verbal counseling to written warning
5. C3 = Written warning
6. C4 through C7 = Written reprimand
7. D1 through D3 = Written warning to written reprimand
8. D4 through D7 = 10 to 20 hours suspension
9. E1 through E3 = Written reprimand or forward to the Internal Review and Hearing Board
10. E4 through E7 = 20 to 40 hours suspension



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11. F1 through F7 = Forward to Internal Review and Hearing Board
- O. When determining discipline, prior chargeable crashes and disciplinary actions shall be considered. Disciplinary actions may be more severe than the chart recommends based on these considerations.
- P. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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INTERNAL REVIEW AND HEARING BOARD

GENERAL STANDARD

The Department shall provide a reasonably unbiased Internal Review and Hearing Board (Board) to review internal investigations or other incidents when requested by the Chief of Police.

During the Internal Review (Review), the Board shall determine the status of any violations by sustaining or not sustaining the findings submitted in the internal investigation. MOS shall be given an opportunity to be heard by the Board during an Internal Hearing (Hearing) before final action is administered against them by the Chief of Police or their designee.

The Hearing shall be conducted impartially and provide the MOS an opportunity to refute any violations and present relevant evidence or information to mitigate the violations or intended corrective action, disciplinary action, or administrative sanction.

STANDARDS AND PROCEDURES

A. Board Selection and Duties

1. A Board shall be comprised of three members who are selected based on the following criteria.
 - a. The Administrative Manager, or other designee, shall select four Board members, schedule a Review/Hearing date, and give written notification (DPS/ADM.005) to the involved MOS.
 - 1) The initial selection shall normally be comprised of three supervisory MOS, and one MOS of equal rank to the accused MOS.
 - 2) Board members shall not consist of supervisors significantly involved in the situation, the accused MOS's immediate supervisor, or any MOS who may be reasonably biased.
 - 3) Other members, to include persons from outside the Department, may be selected when circumstances would otherwise result in a biased Board.
 - b. Prior to the review date, the MOS accused in the incident may request, without requirement to show cause, that any one of the four selected members be removed from the Board.
 - c. If the MOS does not request that a member be removed from the Board, then the Administrative Manager shall randomly remove one of the members who are not of equal rank to the accused MOS.
 2. The Administrative Manager shall designate one member as chairperson who shall be responsible for the coordination and orderly operation of the Review and Hearing.
 - a. The chairperson shall designate one member as reporter who shall document the Review/Hearing process.
 - b. Each Board member carries equal authority when making the final determinations regardless of rank or position.
 3. A separate Board shall be selected for each qualifying investigation or incident except when companion cases, economic reasons, or efficiency requires otherwise.
- B. Internal Review – The Review should be scheduled not less than five business days, but no longer than fifteen business days from the date the Hearing/Review Notification Form is served and shall be held at a reasonable hour in relation to the work schedule of the accused MOS
1. The Board shall conduct Reviews in an objective manner to ensure that:
 - a. An investigation was completed according to Department policy, standards, and procedures.
 - b. The findings of the investigation are adequately supported by relevant information and/or evidence.
 - c. Any other incidents assigned to be reviewed contain sufficient supporting information and/or evidence of alleged violations.
 2. The Board may return the investigation to the original investigator, or a different investigator, for follow-up for one or more of the following reasons:
 - a. Additional clarification is needed.
 - b. New evidence is discovered.
 - c. Investigative leads were not adequately explored.
 3. If the Board determines that the investigation is to be returned for any of the aforementioned reasons in B2 of this policy, then the Hearing shall be rescheduled not less than five business days, but no longer than fifteen business days from the date the investigation is completed and returned to the Administrative Manager.



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4. The Board shall determine by majority consensus the following:
 - a. Whether each violation described in the original report or documentation is sustained by a preponderance of the evidence.
 - b. Whether any new violations are sustained because of the Review.
- C. Hearing – The Hearing should be scheduled not less than five business days, but no longer than fifteen business days from the date the Hearing/Review Notification Form is served and shall be held at a reasonable hour in relation to the work schedule of the accused MOS.
 1. During the Hearing, MOS shall have the opportunity to make statements or answer questions and present relevant evidence or information, which may refute or mitigate the violation(s).
 - a. The Board may consider new evidence and/or information not previously included after determining its relevancy.
 - 1) However, substantially new evidence or information obtained by the Board not previously included in the investigation shall be forwarded to the accused MOS.
 - 2) The accused MOS shall then have an opportunity to respond.
 - b. If an MOS admits to additional violations, those violations may also be sustained by a majority consensus of the Board.
 - c. MOS may waive the Hearing. MOS shall indicate when that is their intent on the Hearing/Review Notification form before the scheduled Hearing date and return a copy of the form to the Administrative Manager.
 - d. MOS who do not formally waive the Hearing and then fail to appear, without good cause, on the scheduled date shall be considered to have waived their right to a Hearing.
 2. MOS may request that a legal and/or labor representative attend the Hearing.
 - a. The representative shall not interfere with the Hearing procedures and shall remain mute, except to advise and confer only with the MOS.
 - b. Representatives who interfere with the Hearing procedures may be asked to leave the Hearing by the chairperson.
 - c. Costs of legal and/or labor representation shall be the responsibility of the MOS.
- D. Additional Review and Hearing Guidelines
 1. The Chief of Police or the Board chairperson may reasonably extend Review and Hearing dates when mitigating circumstances exist.
 2. Reviews and Hearings shall be informal, and do not require the use of judicial, technical or common law rules of evidence.
 3. Reviews and Hearings shall not be video taped or recorded in any manner other than in written form.
 4. In order that all relevant information is considered in the Board's decisions, the Board may accept evidence that normally would be excluded by judicial standards.
 - a. It shall be noted in the Board's report when this type of evidence has been considered.
 - b. When Department MOS were involved in obtaining the evidence, an Internal Investigation may be ordered by the Chief of Police to determine the circumstances if the evidence was improperly obtained.
 5. Board members shall remain attentive of the need to prevent any personal bias from influencing decisions.
- E. Review Board Report
 1. The Board shall forward a report to the Chief of Police through the Administrative Manager within five business days after the Hearing is completed. The Administrative Manager shall note the date and time that the report is given to the Chief of Police.
 2. The report shall contain the following information:
 - a. A summary of the Review and Hearing process.
 - b. Whether the violation(s) described in the original investigative report findings were sustained, and if other sustained violations were discovered during the Review or Hearing.



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- 1) A listing of specific sustained violations to be charged against the MOS.
- 2) For sustained violations the report shall include all of the following:
 - a) The Department policy(s), standard(s), value(s), order, or procedure(s) violated.
 - b) A summary of the incident, and any evidence or information that supports the violation(s), to include relevant statements from the accused MOS.
 - c) If Department policy or training created, or failed to prevent, the violation(s).
- 3) For not-sustained violations the report shall include one or more of the following:
 - a) Whether the evidence or information exonerated the accused MOS of the violation.
 - b) If the alleged violation was unfounded.
 - c) If there was insufficient evidence or information to meet a preponderance of the evidence.
- c. A recommendation for changes to policy or training when it is determined that policy or training created, or failed to prevent, the violation(s).
- d. Upon completion, the original as well as an electronic copy of the Board's report shall be forwarded to the Administrative Manager

F. Final Action

1. The Chief of Police shall review the Board's report and supporting documents within five business days of receipt and make a determination for action.
 - a. When the Chief of Police determines to postpone the action, the Chief of Police shall sign the appropriate portion of the Disciplinary Notification Form (DPS/ADM.031) and have it delivered to the MOS.
 - b. The Chief of Police may return the investigation to the original investigator, or a different investigator, for follow-up or clarification. When substantially new evidence or information is discovered the Chief of Police shall:
 - 1) Schedule a hearing allowing the accused MOS an opportunity to respond.
 - 2) Forward the evidence or information to the accused MOS prior to the hearing.
 - c. When the Chief of Police determines his or her final action, or automatically upon the sixth business day following receipt of the Board's report, the Chief of Police shall:
 - 1) Sign the appropriate portion of the Disciplinary Notification form.
 - 2) Cause the form to be delivered to the MOS.
2. The Chief of Police's final notification to the accused MOS shall include, but not be limited to:
 - a. The violation(s) and their final disposition(s).
 - 1) **Sustained:** Evidence sufficient to prove allegations.
 - 2) **Not Sustained:** Insufficient evidence to either prove or disprove allegations.
 - b. The assessed corrective action, disciplinary action, or administrative sanction.
 - c. The date(s) when the corrective action, disciplinary action, or administrative sanction is to take effect.
 - d. The Disciplinary Notification Form.
 - 1) When the final disciplinary or corrective action is to be a letter of reprimand or less, the Chief of Police may forward the assessed action to the MOS's first line supervisor or other appropriate supervisor, through the Administrative Manager, for service and execution of his or her final decision.
 - 2) The Chief of Police may make a determination on any additional administrative recommendations in the report at his discretion.



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G. The Department shall attempt to administer final corrective action, disciplinary action, or administrative sanctions within a reasonable period.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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CRITICAL INCIDENT REVIEW BOARD

GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to employ a Critical Incident Review Board in order to assist the Chief of Police and Command Staff to revise, modify and create new measures to improve the efficiency and effectiveness of the Department.

PURPOSE

The purpose of the Critical Incident Review Board (CIRB) is to conduct inquiries into police actions at the discretion of the Chief of Police to identify strengths/deficiencies in the policies, procedures, training, equipment and/or other elements required to adequately perform police functions. The information gathered and recommendations of the CIRB are to be provided to the Chief of Police and Command Staff in order to facilitate the implementation of beneficial and/or corrective measures on issues that affect the operation of the Department.

STANDARDS AND PROCEDURES

A. Members of the Board/Appointees

1. The Chief of Police will designate a Chairperson and direct him/her to convene a CIRB to review incidents of his choosing.
 - a. The Chairperson will be of the rank of Lieutenant or above.
2. The Chairperson of the CIRB will select members of the Department to assist with the review to include any and/or all of the following:
 - a. Patrol Supervisor
 - b. Criminal Investigations Supervisor
 - c. Training Staff Representative
 - d. Union President/Vice President
 - e. City Attorney
 - f. Communications Supervisor
- g. The Chairperson has the option of bringing in outside assistance on the CIRB as deemed necessary to include:
 - 1) Other law enforcement representatives
 - 2) Subject Matter Experts
 - 3) Human Resources

B. General Interview Procedures

1. The CIRB will not be audio or video recorded. CIRB members may make notes for discussion, but will not retain any personal documents pertaining to the CIRB.
2. The Chairperson of the CIRB will advise all personnel appearing at the review of the purpose of the Board.
3. The Chairperson of the CIRB will ensure that the CIRB members do not become accusatory, belligerent, or disparaging with personnel appearing before the CIRB.
4. CIRB members must act professionally and keep the review centered on the areas stated in the purpose.

C. Interview of MOS

1. As soon as practical, the CIRB will interview personnel involved in the incident(s). Personnel will include:
 - a. Primary and secondary patrol officers
 - b. Detectives
 - c. Field Investigators
 - d. Tactical Officers (SWAT)
 - e. K-9 Officers



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- f. Supervisors
 - g. Incident Commander
2. If there are unresolved matters concerning details of the review, the Chairperson may request approval from the Chief's staff to have the CIRB interview other direct participants and/or Department personnel who witnessed the incident.
- D. Final Review/Recommendations
1. After completion of the CIRB, members of the board will identify issues of concern, discuss and make recommendations to the Chief of Police and the Command Staff.
 - a. The Chairperson of the CIRB will draft a memorandum to the Chief of Police outlining the review. If no deficiencies are identified and no recommendations are to be made, it will be noted in the memorandum.
 2. If the review reveals deficiencies, the deficiencies must be applied to the Department as a whole, no to any specific person.
 - a. Issues pertaining to the deficiencies of individual personnel, may at the discretion of the Chief of Police, be addressed in an Internal Affairs Investigation, if applicable or with the individual's chain of command.
 3. The Chief of Police may direct the Chairperson to attend a briefing with the Chief's Staff to review the conclusions of the CIRB.
 - a. Where applicable, a review of certain critical incidents may be presented to other, and/or all MOS, if appropriate, from a lessons learned perspective.
- E. Confidentiality
1. CIRB members shall not discuss specific information with anyone outside of the board without the permission of the Chief of Police or his/her designee.
- F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

The critical mission of the Rio Rancho Police Department justifies a drug free work environment. The use of a reasonable employee drug-testing program assists in ensuring that MOS can safely work in a drug free work environment.

The law enforcement and public safety profession has several uniquely compelling interests that justify use of the employee Drug Testing Program. The public has a right to expect that those who are sworn to protect and assist them are at all times both physically and mentally prepared to assume these duties. The use of controlled substances will seriously impair a MOS's physical and mental health, and thus, their job performance. The Department outlines six factors in determining its interests in maintaining a drug free work environment.

First, sound judgment and reaction are the two most important attributes MOS can possess while safely and effectively discharging their duties. It is vital that MOS are not impaired when operating emergency vehicles, deadly weapons, defensive tools, or other equipment.

Second, when peace officers and public safety personnel participate in illegal drug use and activity, the integrity of the Department and the public trust are diminished. MOS who are sworn to enforce the law lose public trust if they violate the very laws they are sworn to enforce. Furthermore, it is essential that MOS present competent, professional, and credible testimony in a courtroom. A MOS who abuses drugs could be subject to testimonial impeachment, thus damaging the credibility of the Department.

Third, this trust is further damaged by the potential for corruption created by drug abuse. The exposure to illegal drugs and the people associated with them provide a MOS who is a drug abuser with easier access to drugs through the abuse of his authority.

Fourth, MOS that abuse their authority and participate in drug abuse create a work environment that is dangerous to other personnel. MOS who become restricted due to drug abuse expose other personnel to a higher risk of injury. If one MOS is not completely alert and capable, the lives of other MOS and the public can be in jeopardy. This environment leads to an ineffective Department, and destroys the morale of the MOS who are dedicated to the law enforcement and public safety profession.

Fifth, loss of productivity becomes the result of MOS who abuse drugs. The Department cannot afford low productivity due to limited human resources. In addition, the public expects that its tax dollars be expended prudently and efficiently. Loss of productivity and the attributed financial cost from drug abuse is not an accepted public expense.

Sixth, MOS that abuse drugs cause a heightened exposure to civil litigation. The individual who suffers injuries at the hands of an impaired MOS may bring litigation against the City.

Therefore, in order to ensure the integrity of the Department, to preserve its effectiveness in the public safety function and the fight against crime, this Department shall implement a drug testing program to detect prohibited drug use by MOS.

STANDARDS AND PROCEDURES

A. The following rules shall apply to all MOS while on and off duty:

1. MOS shall not illegally possess any controlled substance.
2. MOS shall not ingest any controlled or other dangerous substance, unless prescribed by a licensed medical practitioner.
 - a. MOS shall notify their immediate supervisor when required to use medication that has the potential to impair job performance. MOS shall advise their supervisor of the known side effects of such medication, and the period of use.
 - b. Supervisors shall document this information in a memorandum and forward through the chain of command to the Chief of Police.
 - c. MOS may be temporarily reassigned to other duties, where appropriate.
3. MOS shall not ingest any prescribed or over-the-counter medication in amounts beyond the recommended dosage.
4. Any MOS who unintentionally ingests, or is made to ingest, a controlled substance shall immediately report the incident to their supervisor so that the appropriate action may be taken to ensure the MOS's health and safety.
5. MOS shall not consume or be under the influence of alcohol while on-duty, unless a particular assignment dictates otherwise when authorized by the Chief of Police.
6. MOS having a reasonable basis to believe that another employee is illegally using or in possession of a controlled substance, or on-duty while under the influence of alcohol, shall immediately report the facts and circumstances to their supervisor.
7. Prior to selection for drug testing, MOS who voluntarily admit use of prohibited drugs, shall:
 - a. Be relieved from duty,



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- b. Admit themselves into a recognized drug rehabilitation program at MOS's own expense and time (MOS may utilize any accrued leave), and
- c. Return to duty after successfully completing the rehabilitation program.
 - 1) The return to duties shall be authorized by the Chief of Police.
 - 2) Appropriate documentation from the attending physician and/or counselor shall be required before MOS returns to duty.
 - 3) MOS may be tested as often as necessary for up to one year, and a positive drug test during this period shall be grounds for termination.

8. Discipline of MOS for violation of this policy shall be in accordance with the due process rights provided in the Department's discipline and grievance procedures.

B. Applicant Drug Testing

1. Applicants considered for hire shall be required to take a drug test as a condition of employment during a pre-employment medical examination.
2. Applicants shall be disqualified from further consideration for employment under the following circumstances:
 - a. Refusal to submit to a required drug test, or
 - b. A confirmed positive drug test indicating drug use prohibited by this policy.

C. Probationary MOS Drug Testing

1. Probationary MOS (only includes first probationary period) shall be required, as a condition of employment, to participate in any unannounced, mass/mandatory drug tests scheduled for the probationary period.
2. The frequency of such tests shall be determined by the Chief of Police or his designee.

D. MOS Drug Testing

1. All MOS will be required to take drug tests as a condition of continued employment to exclude the presence of prohibited drug use.
 - a. MOS may be subject to unannounced, mass/mandatory testing.
 - 1) The Chief of Police or his designee shall determine the frequency of such tests.
 - 2) Testing will be uniform and done on a unit-by-unit or a shift-by-shift basis.
 - b. Since MOS may remain drug-free through the application and probationary phases of employment, and not seek reassignment or exhibit behavior creating reasonable suspicion of prohibited drug use, an MOS's drug abuse could go undetected until tragedy results. This MOS's drug abuse will also go substantially undeterred. As a result, all sworn MOS shall be required to submit to an equitable, random drug test.
 - 1) Fifteen percent of all sworn MOS may be required to submit to drug testing on an annual basis.
 - 2) Selection shall be made by a Drug Testing Coordinator, at the order of the Chief of Police, using a random computer generated list.
 - 3) The list shall be read from top to bottom, left to right, and the first set of total objective random numbers shall be utilized.
 - 4) If a random number does not correspond to an applicable MOS, or the MOS is not readily available, the next applicable random number shall be utilized.
 - c. Absent reasonable suspicion, probationary status or voluntary consent, no MOS shall be required to submit to more than two drug testing periods within twelve consecutive months.
2. The Chief of Police may order any MOS involved in an incident resulting in death or great bodily injury to be tested for prohibited drugs and alcohol at the Department's expense.
3. The Chief of Police may order any MOS to take a drug test upon documented reasonable suspicion that MOS is, or has been, abusing drugs. A summary of the facts supporting the order shall be made available to the MOS prior to the actual test.
4. A drug test may be administered as part of any regular physical examination required by the Department.
5. A breath alcohol test shall be administered when there is reasonable suspicion that an on-duty MOS is under the influence of an alcoholic beverage.



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E. Drug Testing Methodology

1. The testing or processing phase shall consist of an initial screening test and a confirmation test.
2. The urine sample is first tested using the initial drug screening procedure. An initial positive test result will not be considered conclusive; rather, it will be classified as "confirmation pending." Notification of test results to the Chief of Police or his designee shall be held until the confirmation test results are obtained.
3. A sample testing positive will undergo an additional confirmatory test. The confirmation procedure shall be technologically different and more sensitive than the initial screening test.
4. The drug screening tests selected and drug concentration levels shall be in compliance with city policy.
5. If there is reasonable suspicion that a MOS is utilizing drugs or imitation controlled substances (as defined in the Imitation Controlled Substances Act 30-31A-2), the MOS shall be appropriately tested, and the concentrations for a positive test result shall be determined by the standards of the testing lab.
6. The laboratory selected to conduct the analysis shall be experienced and capable of quality control, documentation, chain-of-custody, technical expertise, and demonstrated proficiency in urinalysis. Personnel utilized for analysis will be adequately trained in testing procedures. Retention of samples will be determined by laboratory procedures.

F. Drug Test Results

1. All records pertaining to Department required drug tests shall remain confidential, and shall not be provided to other employees or agencies. The results shall not be used in any criminal prosecution, without written permission of the MOS whose records are sought.
2. Drug test results and records shall be stored and retained in a secured drug-testing file.
3. MOS who test positive and offer no satisfactory explanation shall be terminated.

G. Drug Test Coordinator

1. The Chief of Police shall select a Drug Test Coordinator.
2. The Drug Test Coordinator shall be responsible for implementing the drug test program, and
 - a. Randomly select MOS for drug tests,
 - b. Schedule all drug tests with the collection site, laboratory and selected MOS,
 - c. Advise the Chief of Police if selected MOS fail to cooperate with test procedures.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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INFECTIOUS DISEASE AND CONTROL

GENERAL STANDARD

In providing services to the citizens of the City of Rio Rancho, employees of the City may come into contact with potentially life-threatening infectious diseases that can be transmitted through job-related activities. It is important that both citizens and employees are protected from the transmission of diseases. The purpose of this policy is to establish a comprehensive set of rules and regulations governing potential occupational exposure to pathogens such as, but not limited to, Hepatitis B Virus (HBV), Hepatitis C Virus (HCV), the Human Immunodeficiency Virus (HIV), and Tuberculosis (TB). This policy was prepared in compliance with the Occupational Safety and Health Administration (OSHA) guidelines CFR 29 1910.1030 and the Ryan White Comprehensive AIDS Resources Emergency (CARE) Act: Emergency Response Employees. This policy will:

1. Provide a system for emergency response for employees to receive appropriate medical follow-up after a known or suspected exposure to infectious diseases;
2. Provide information about the diseases covered by these laws;
3. Classify the exposure potential for each employee;
4. Provide the necessary forms for compliance with these laws; and
5. Outline Methods of Compliance regarding Universal Precautions and Work Practice Controls.

Job Classifications

Several classes of employees, whether they are paid or volunteer, are assumed to be at risk for bloodborne or respiratory infections from potentially infected individuals. Those at high risk may include but are not limited to:

1. Law enforcement officers
2. Vehicle maintenance personnel working on emergency or sanitation vehicles

Administration

The Medical Officer shall administer this Infectious Control Policy. The Medical Officer shall have the following duties and responsibilities:

1. Exercise leadership in implementation and maintenance of an effective Infection Control Policy subject to the provisions of this policy, other ordinances, Federal and State law relating to OSHA regulations;
2. Make an exposure determination for all employee positions to determine a possible exposure to blood or other potentially infectious materials;
3. Maintain records of all employees and incidents subject to the provisions of the policy;
4. Conduct periodic inspections to determine compliance with the Infection Control Policy by affected city employees;
5. Coordinate and document all relevant training activities in support of the Infection Control Policy.

Definitions

Body Fluid: fluids that have been recognized by the Center for Disease Control as directly linked to the transmission of HIV, HBV and/or HCV and/or to which universal precautions apply. See OPIM below.

Bloodborne Pathogens: microorganisms that are present in human blood or OPIM that can infect and cause diseases in persons who are exposed to blood or OPIM containing the pathogen.

Contaminated: the presence or the reasonably anticipated presence of blood or other potentially infectious materials on an item or surface.

Decontamination: the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

Exposure: a specific eye, mouth, other mucous membrane, non-intact skin, or other parenteral contact with blood or other potentially infectious materials that results from the performance of an employee's duties.

Hepatitis B Virus (HBV): the serious bloodborne virus that damages the liver and has potentially life-threatening complications. Possible complications include: massive hepatic necrosis, cirrhosis of the liver, chronic active hepatitis, and hepatocellular carcinoma.

Hepatitis C Virus (HCV): the serious bloodborne virus that damages the liver and has potentially life-threatening complications.

Human Immunodeficiency Virus (HIV): the virus that causes acquired immunodeficiency syndrome (AIDS).



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Other Potentially Infectious Materials (OPIM): [1] The following human body fluids: semen, vaginal secretions, cerebrospinal fluid, synovial fluid, pleural fluid, pericardial fluid, peritoneal fluid, amniotic fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids; [2] Any unfixed tissue or organ (other than intact skin) from a human (living or dead); and [3] HIV-containing cells or tissue cultures, organ cultures, and HIV- or HBV- containing culture medium or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Parenteral: piercing the skin barrier through such events as needlesticks, human bites, cuts, and abrasions.

Personal Protective Equipment (PPE): specialized clothing or equipment worn by an employee for protection against a hazard, for example, goggles and gloves. General work clothes (for example, uniforms, pants, shirts or blouses) not intended to function as protection against a hazard are not considered to be personal protective equipment.

Tuberculosis (TB): an acute or chronic infectious disease that usually affects the respiratory system, but may involve other systems in the body.

Universal Precautions: an approach to infection control. It assumes all body fluids are infectious and requires every employee exposed to direct contact with potentially infectious materials to use personal protective equipment (PPE).

List of Potentially Life-Threatening Infectious Diseases that an Employee Can Be Exposed to:

In developing the list of infectious diseases that employees can be exposed, the CDC defines the disease as potentially life-threatening, carries a significant risk of death if acquired by a healthy susceptible host, and the disease can be transmitted from person to person.

1. Airborne Diseases:
 - a. Infectious pulmonary tuberculosis (*Mycobacterium tuberculosis*)
 - b. *Bordatella pertussis*
 - c. Meningococcal disease (*Neisseria meningitidis*)
 - d. Influenza
2. Bloodborne Diseases:
 - a. Hepatitis B
 - b. Hepatitis C
 - c. Human Immunodeficiency Virus infection (including acquired immunodeficiency syndrome (AIDS))

Legal Rights of Persons With Communicable Diseases

1. Victims of communicable diseases have the legal right to expect the same level of service, as any other individual would receive. Municipal employees, including police and emergency service officers, are duty bound to provide this service.
2. Any employee who refuses to take proper action within their scope of training in regard to persons with a known communicable or infectious disease, when appropriate protective equipment is available, may be subject to disciplinary measures along with civil and/or criminal prosecution.
3. Whenever an employee mentions in a report that an individual has or may have a communicable disease, the employee shall write, "contains confidential medical information" across the top margin of the first page of the report.
4. Patient information shall not be disclosed to the news media.

STANDARDS AND PROCEDURES

A. Methods of Compliance

1. Universal Precautions
 - a. Universal precautions shall be observed to prevent contact with blood or other potentially infectious materials. Under circumstances in which differentiation between body fluid types is difficult or impossible, all fluids shall be considered potentially infectious.
 - b. Work practice controls alter the manner in which a task is performed and provides for safe working conditions that protect employees from being unnecessarily exposed to health hazards. Correct work procedures include proper handling and disposal of needles and sharps, used bandages and gauze, linens, and all other emergency items that come in contact with blood or other potentially infectious materials. All procedures involving blood or other potentially infectious materials shall be performed in such a manner as to minimize spattering, generating droplets, splashing, and spraying.



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- c. In work areas where there is a likelihood of occupational blood or body fluid exposure, safe work practices include prohibiting eating, drinking, smoking, using chewing tobacco or snuff, applying cosmetics or lip balm, and handling contact lenses.
 - d. The storage of food and/or drink in refrigerators, freezers, shelves, cabinets, on counters or bench tops, or any other location where blood or other potentially infectious materials are kept or present, or likely to be present, is prohibited.
- B. When there is a present or potential occupational exposure, employees will be provided and shall use appropriate personal protective equipment:
- 1. Gloves shall be worn when it can reasonably be anticipated for the hands to have contact with blood, OPIM, mucous membranes, non-intact skin, and when touching or handling contaminated items or surfaces. The employer shall provide gloves of appropriate material, quality, and size for each affected employee.
 - a. Gloves shall not be used if they are peeling, cracked, or discolored, or if they have punctures, tears, or other evidence of deterioration.
 - b. Disposable (single-use) gloves, such as surgical or examination gloves, shall be replaced as soon as possible when contaminated. Disposable gloves shall not be washed or disinfected for reuse.
 - 2. Masks or protective eyewear or face shields shall be worn during procedures that are likely to generate droplets, spray, splatter, splashes, or aerosols of blood or other potentially infectious material, such as suctioning, intubations, patients who are coughing or spitting, and certain invasive procedures, to prevent blood or body fluid exposure to the employee's mucous membranes of the mouth, nose, and eyes.
 - 3. Gowns, aprons, and other protective body clothing shall be worn if soiling of clothing with blood or body fluids may occur.
 - 4. Mouth-to-Mouth resuscitation shall be conducted using barrier devices whenever possible. These include, but are not limited to, pocket masks, face shields, bag-valve-masks (BVM's), demand valves, or other ventilation devices.
 - 5. All personal protective equipment shall be removed prior to leaving the work area and shall be placed in an appropriately designated area or container for storage, washing, decontamination, or disposal.
- C. Hand washing
- 1. Hand washing shall be done before and after contact with patients regardless of whether or not gloves were used. Hands and skin contaminated with blood or body fluids shall be washed thoroughly as soon as possible.
 - 2. When it is not feasible to wash hands with soap and water, employees are to use a waterless antiseptic hand cleaner furnished in conjunction with clean paper towels or antiseptic towelettes provided in each vehicle.
 - 3. Hands will be washed with soap and water at the earliest practicable opportunity after the use of antiseptic hand cleaner.
- D. Housekeeping
- 1. The work site is to be maintained in a clean and sanitary condition. All equipment and environmental working surfaces shall be properly cleaned and decontaminated with an appropriate disinfectant immediately, or as soon as possible, after contact with blood or other potentially infectious material; when surfaces are overtly contaminated; at the end of the work shift if contaminated since the last cleaning.
 - 2. All bins, cans, and similar receptacles intended for reuse which have a reasonable likelihood for becoming contaminated with blood or other potentially infectious material shall be inspected and decontaminated on a regularly scheduled basis and cleaned and decontaminated immediately or as soon as possible upon visible contamination.
 - 3. All containers that function to carry and transport regulated medical waste shall be leak-proof and puncture resistant. They must be color-coded red and/or labeled as containing biohazards. If leaking occurs, a secondary container shall be used. All containers shall not be overfilled.
 - 4. The interior of the ambulance and durable patient equipment used shall be cleaned after every patient contact. Single-use patient supplies and equipment shall be disposed of in an appropriate receptacle. Contaminated disposable equipment should be placed in a clearly marked biohazard bag, sealed, and disposed of by placing in a designated "hazardous" dumpster, bin, or other such designated receptacle. The following procedures shall be used:
 - a. Put on gloves.
 - b. Check the inside of the ambulance for discarded sharps and dispose of any found in an approved sharps container.
 - c. Bag linens, supplies, and equipment at the location where they have been used. Reusable equipment, supplies, and linens shall be cleaned and disinfected after every patient contact and at the location where they were used whenever possible.
 - d. Spills should be cleaned up and the area disinfected with an EPA registered disinfectant/detergent.
 - e. Clean the floor after every patient transport.
 - f. Clean the ceiling, floor, and walls of the patient compartment and cab with disinfectant cleaner at least once per week, or on an as-needed basis.



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- g. All work surfaces including, but not limited to, gurneys, benches, seats, radios, countertops and shelving, shall be decontaminated and cleaned daily or as needed.

5. Disinfectants and cleansers used must be a registered germicidal/viricidal agent registered with the Environmental Protection Agency.

E. Laundry

1. All clothing shall be inspected and cleaned on a regular basis.
2. Contaminated clothing (or other articles) shall be removed as soon as possible and washed as soon as possible. Laundry washing cycles at 120 degrees Fahrenheit are minimally adequate for decontamination. Employees must have additional clothing/uniforms, appropriate for on-duty wear, located at their assigned stations.
3. Cleaning and disinfection of contaminated clothing shall be done separately from non-contaminated clothing. This shall be performed at Station #1 using the provided commercial cleaning equipment.
4. Boots and leather gear may be brushed/scrubbed with soap and hot water to remove contamination.
5. Employees handling contaminated laundry shall wear gloves and other appropriate personal protective equipment. After removing the gloves, hands and other exposed skin surfaces shall be washed thoroughly and immediately after contact with potentially infectious materials.
6. Linens soiled with blood or other potentially infectious materials shall be placed and transported in red biohazard bags that prevent leakage. If leaking occurs, the bag shall be placed in a secondary container that is leak-proof and puncture resistant.

F. Contaminated Sharps Handling

1. Contaminated sharps shall be discarded immediately or as soon as feasible in closeable, puncture resistant, leak-proof (on sides and bottom) containers and labeled as a biohazard or color-coded red until properly reprocessed.
2. Shearing or breaking of needles is prohibited. Needles must not be bent, removed, or recapped unless no other alternative is feasible. Any recapping of needles must be accomplished through the use of a mechanical device or one-handed technique.
3. Sharps containers shall be kept in all appropriate vehicles and a portable container carried into scenes where invasive procedures may be performed. They shall be maintained in an upright position at all times. They shall be easily accessible to employees and located as close as feasible to the immediate area where sharps are used or can reasonably be anticipated to be found. Sharps containers shall be replaced whenever damaged or full. They shall not be overfilled.
4. Broken glassware or other sharp materials that may be contaminated shall not be picked up directly with the hands. It shall be picked up using mechanical means such as a brush and a dustpan, tongs, or forceps.

G. Vaccinations

1. Hepatitis B vaccine series and any booster doses recommended by the U.S. Public Health Service will be made available at no charge and at a reasonable time and place to all employees who work in an area in which there is the possibility of an exposure to bloodborne pathogens. The vaccination shall be voluntarily administered. If the employee initially declines the vaccination, it will be made available to them at any point in the future should they decide they want to be vaccinated. If the employee declines, they must sign the OSHA approved declination form.
 - a. The vaccine will be made available to employees who have occupational exposure after initial training and within 10 working days of initial assignment unless, (1) the employee has previously received the complete hepatitis B vaccination series, (2) antibody testing reveals that the employee is immune or, (3) the vaccine is contraindicated for medical reasons.
 - b. The employee cannot be required to participate in an antibody pre-screening program in order to receive the hepatitis B vaccination series. All medical evaluations and procedures must be performed by or under the supervision of a licensed physician or an appropriately trained and licensed health care provider and administered according to current recommendations of the U.S. Public Health Service.
 - c. An accredited lab will conduct all laboratory tests.
 - d. Information on the hepatitis B vaccine, its efficacy, safety, method of administration, advantages and disadvantages of vaccination, and that the vaccine and vaccination will be offered free of charge will be explained to the employee.
2. Annual TB testing (PPD test) will be offered at no cost to employees who have occupational exposure. Employees who have a previous history of positive (+) PPD will be offered a chest x-ray at no cost.

H. Post Exposure Procedures

1. Employees who have a known or suspected exposure to infectious materials during the performance of assigned duties shall observe the following procedures for reporting a job exposure incident that may put them at risk for HIV, HBV, HCV, TB, or any other potentially infectious

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diseases:

- a. The on-duty supervisor shall be notified immediately who will then notify the Medical Officer. The employers must treat reports in the strictest confidence.
- b. The on-duty supervisor or Medical Officer shall assist the employee in completing the First Report of Injury, and the Infectious Exposure Form. Information to be included on this form should include at the minimum documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred.
- c. The employee shall be referred to the Occupational Health physician or designee as soon as possible for evaluation and treatment. Any identification and documentation of the source individual's disease status shall comply with Paragraph (f) (3) (ii) of OSHA 1910.1030.
- d. A confidential medical record will be kept on file with the Medical Officer according to OSHA Title 29 CFR, Part 1910.1020(e). This file will be kept and maintained for the duration of employment plus 30 years. Only the employee or anyone having the employee's written consent will have access to medical records.
- e. Exposure follow-up, including counseling, shall be provided at no charge to employees.

I. Training

1. On an annual basis, employees shall receive training and education on the epidemiology, symptoms, modes of transmission, prevention of bloodborne and other infectious diseases, procedures to be used if they are exposed to these diseases including incident reporting, signs and labeling, recordkeeping requirements, and explanations of the Exposure Control Plan. This training shall be to the education, literacy, and language of the employee.
2. Employees shall also receive training regarding the location and proper selection, use and handling of personal protective equipment, proper work practices, and the concept of "universal precautions" as it applies to their work situation.
3. New employees shall receive the above training at the time of initial assignment. Any employee who has received this training in the previous twelve months can bypass the training until the next yearly training cycle.
4. Employees will be provided additional training when there are changes in the recommendations from the CDC or OSHA, or changes such as modification of tasks or procedures or institution of new tasks or procedures that affect the employee's occupational exposure.

J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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AWARDS AND RECOGNITION

GENERAL STANDARD

The recognition of personal excellence is an important aspect of the Department's activities. Presenting Departmental awards for meritorious service provides that recognition, and enhances Department moral, reinforces the Department's commitment to the maintenance of a high standard of performance by MOS, and motivates MOS to perform their duties consistent with the Department's mission and values.

STANDARDS AND PROCEDURES

A. Awards

1. Medal of Valor
 - a. The Medal of Valor may be awarded to MOS for conspicuous gallantry performed in the line of duty pertaining to acts of exceptional bravery performed at very high risk to their own lives, and performance beyond the call of duty or the Department's expectations.
 - b. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.
 - c. This award will be presented in the form of a medal by the Chief or other designated public official.
 - d. MOS shall receive a solid blue ribbon to be displayed on their uniform in conformance with current standards and procedures. A gold star will be added for each subsequent Medal of Valor received.
 - e. A "Medal of Valor" certificate shall accompany the award.
 - f. A copy of the certificate shall be forwarded to the MOS's personnel file.
2. Purple Shield
 - a. The Purple Shield may be awarded to MOS in recognition for meritorious service and extraordinary fidelity, where serious injury or death was incurred while in the performance of duty.
 - b. Any supervisor may nominate an MOS for this award by submitting a memorandum to the Chief through the chain of command.
 - c. This award will be presented in the form of a medal by the Chief or other designated official.
 - d. MOS shall receive a solid purple ribbon to be displayed on their uniform in conformance with current standards and procedures. A gold star will be added for each subsequent Medal of Valor received.
 - e. A "Purple Shield" certificate shall accompany the award.
 - f. A copy of the certificate shall be forwarded to the MOS's personnel file.
3. Courage in the Line of Duty
 - a. This award may be awarded to a MOS for a heroic deed and meritorious conduct involving commendable courage, risk and danger to personal safety. This may be awarded to MOS who have been submitted for higher awards but were declined. The Ribbon will be four equal sized bars white/blue/red/white. A gold star will be added to this ribbon for each subsequent award received for courage in the line of duty.
 - b. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.
 - c. This award will be presented by the Chief or his designee.
 - d. A "Courage in the Line of Duty" certificate shall accompany the award.
 - e. A copy of the certificate shall be forwarded to the MOS's personnel file.
4. Life Saving Award
 - a. This award may be awarded to a MOS who is directly responsible for saving of a human life above and beyond the normal call of duty. The lifesaving award may also be awarded when evidence indicates the actions by the MOS prolonged a human life to the extent of the victim being released to the care of medical authorities, even though the victim might expire at a later time. This ribbon will be red with a white center and display a blue cross in the center. Each additional award will be signified with an additional blue cross in the center
 - b. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.
 - c. This award shall be presented by the Chief or his designee.



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d. A "Life Saving Award" certificate shall accompany the award.

e. A copy of the certificate shall be forwarded to the MOS's personnel file.

5. MOS of the Year Award

a. Two MOS shall be selected to receive an MOS of the Year award, one sworn public safety officer, and one non-sworn MOS.

b. All sworn, non-probationary MOS below the rank of sergeant are eligible for the Officer of the Year award.

c. All non-sworn, non-probationary MOS are eligible for the MOS of the Year award except MOS classified as supervisors.

d. Candidates must not have had in the previous year any disciplinary action resulting in the minimum of a letter of reprimand.

e. Candidates must not have had in the most recent performance appraisal any rating in the unsatisfactory category.

f. Candidates must not have abused sick leave as defined by the City Personnel Policies and Work Rules.

g. Selection Criteria

1) The unit supervisor shall evaluate each MOS within their unit on their skills, abilities, knowledge and overall performance. The candidate should have exhibited:

(a) Esprit de corps,

(b) Dedication,

(c) Motivation, and

(d) Efficiency.

h. Awardees shall be granted (20) hours of compensatory time, which must be taken within (30) days after the award.

i. An MOS of the Year plaque will be displayed conspicuously at Department Headquarters. The plaque shall have brass nameplates that indicate the MOS's name and year of achievement.

j. In the presence of peers, the awardees shall be presented with a MOS of the Year plaque.

k. MOS shall receive a ribbon to be displayed on their uniform. The ribbon will be three equal parts of white/red/white.

l. A "MOS of the Year" certificate shall be given to the MOS, and a copy forwarded to the MOS's personnel file.

6. Chief's Commendation

a. The Chief's Commendation may be awarded to MOS in recognition for demonstrating the highest degree of competence and professionalism in the performance of their duties. This includes exemplary conduct during a field incident or operation, outstanding administrative work, an outstanding criminal investigation, and any other activity that improves the operations or reflects favorably on the Department.

b. This award may also be presented to an MOS who has demonstrated long-term excellence in service to the Department.

c. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.

d. This award will be presented by the Chief of Police in the form of a "Chief's Commendation" certificate.

e. MOS shall receive a navy blue and gray ribbon with a gold star. A gold star will be added for each subsequent commendation. This ribbon will be displayed on the uniform in conformance with this policy.

f. A copy of the certificate shall be forwarded to the MOS's personnel file.

7. Anthony P. Haase Outstanding Achievement Award

a. The Anthony P. Haase Outstanding Achievement Award is awarded is to memorialize Officer Haase, who died in the line of duty on October 26, 2014. The recipient(s) of this honor must be a new officer. Accomplishments from the date of certification to one (1) year after completion of probation are to be considered for this award.

1) Recipient will have demonstrated the following:



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- (a) Best represents the Mission Statement and Values of the Department;
 - (b) Exhibits the qualities of integrity, dependability, trustworthiness, and enthusiasm in law enforcement endeavors;
 - (c) Demonstrated a desire and commitment to selfless service and an exemplary work ethic.
- 2) The recipient's professional skills will be judged to be the most outstanding and deserving of this formal recognition by their peers, supervisors and administrative staff of the Rio Rancho Police Department.
- b. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.
 - c. This award may be presented to more than one MOS at a time.
 - d. MOS shall receive a red ribbon with two white stripes and a blue stripe in the center. The ribbon will be displayed on the uniform in conformance with this policy.
 - e. A copy of the certificate shall be forwarded to the MOS's personnel file.
8. Certificate of Appreciation
- a. The Certificate of Appreciation may be awarded to MOS who perform their duties in a manner that exceeds the Department's expectations of professionalism, devotion to duty, and dedication to the Mission Statement and Values of the Department. This award may also be presented for the submission of any suggestion subsequently adopted by the Department that materially improves operational efficiency.
 - b. Any MOS may nominate any officer for this award by submitting a memorandum through the chain of command.
 - c. A copy of the certificate shall be forwarded to the MOS's personnel file.
9. Letter of Recognition
- a. The Letter of Recognition may be awarded to MOS in recognition for performing their routine duties or assignments in such a manner that reflects favorably on the MOS and the Department. These incidents are usually observed by the first line supervisor or brought to their attention by another MOS or citizen.
 - b. This award may be presented by any supervisor in the form of a memorandum from the issuing supervisor to the MOS.
 - c. The Letter of Recognition shall be placed in the MOS's annual evaluation file, and shall be considered during the MOS's annual performance appraisal.
10. Citizen Commendation
- a. This award may be presented to any person who is not a member of the Department but who has aided the Department or its MOS in some way. This includes assistance in the solution of a crime or apprehension of criminals, aiding an MOS in the field during a critical situation, facilitating a community event, or other cooperation or assistance to Department administration or operations.
 - b. This award will be presented in the form of a certificate or letter.
 - c. Any MOS may nominate a citizen for this award by submitting a memorandum the chain of command.
- B. All recommendations for awards shall include specific justification for the nomination and all relevant supporting documentation.
- C. Presentation of Awards
1. MOS of the year shall be presented at the annual awards ceremony. All other awards presented over the course of the year will be noted as part of the ceremony. The Chief of Police may designate additional award ceremonies as needed.
 2. All awards besides the MOS of the year, shall also be presented at appropriate occasions, such as Governing Body meetings and staff meetings, in a timely manner, as designated by the Chief of Police.
 3. All personnel not otherwise engaged in duty assignments are encouraged to attend. The recipient's supervisor(s) should be present.
 4. Posthumous awards shall be received by the next of kin. "Next of kin" normally is construed to mean one of the following:
 - a. Widow or widower.
 - b. Eldest son or daughter.



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- c. Parent.
- d. Eldest brother or sister.
 - 1) The order of preference may be modified as circumstances dictate in individual cases.
 - 2) Posthumous awards may be presented at the memorial or funeral service for that individual or at such time as is deemed appropriate by the next of kin.

D. Awards Committees

1. The Awards Committee shall consist of at least six MOS appointed by the Chief of Police annually to review MOS of the Year nominations and all relevant awards throughout the year. This Awards Committee shall consist of:
 - a. One MOS at or above the rank of Lieutenant
 - b. One MOS at the rank of Sergeant
 - c. Awardees of the prior MOS of the Year award
 - d. A member of the collective bargaining unit
 - e. A civilian employee of the Department
 - f. The organizer of the next awards ceremony
2. The Chief of Police may appoint an MOS of similar rank and position when prior year awardees are unavailable.
3. The Awards Committee shall review candidates based upon selection criteria.
4. The Awards Committee shall forward a memorandum to the Chief of Police identifying their selection.
5. The memorandum shall include the committee's rationale for the nomination(s).
6. The Awards Committee shall make their MOS of the Year Award selections by January 31st for the previous year.
7. The Chief of Police shall designate the members of the Awards Committee immediately following the Awards Ceremony.

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

FUNERALS

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GENERAL STANDARD

Special funeral services shall be conducted for deceased MOS or other deceased officials when requested by the next of kin.

STANDARDS AND PROCEDURES

A. A semi-military funeral normally consists of the following:

1. Department uniform escorts, honor guard and uniformed members of visiting agencies,
2. Clergy,
3. Pallbearers, and
4. Honorary pallbearers.

B. The desires of the family are paramount and are given full consideration as to the degree of Department involvement.

C. When the family or its representative so desires, an honor guard shall be provided. One on-duty honor guard will be posted at the casket during public viewing.

D. Uniformed personnel shall execute the hand salute any time the casket is being moved. MOS in civilian clothes shall stand at attention remove and hold their headgear over the left breast. During the prayer, all MOS shall bow their heads.

E. Funerals with Chapel Services

1. Before the beginning of the service, the funeral escort is formed in formation with two or more ranks, with the commanding officer using the command "fall-in". The commanding officer shall place himself in front and center of the unit. When the casket is removed from the hearse, the commanding officer shall give the command "hand salute" and this movement shall be executed by all uniformed MOS. This position shall be maintained until the casket is borne into the chapel at which time the commanding officer shall give the command "ready to", causing the hands to be dropped to the sides. The escort will then enter the chapel.

2. When honorary pallbearers are present, they are formed into ranks, each facing the other, forming an aisle from the conveyance to the entrance of the chapel. When the casket enters the chapel, they shall follow in columns of twos or comply with the regulations of the church.

3. When the casket has been placed upon the church truck, the pallbearers form behind the honorary pallbearers and then are seated behind them. When there are no honorary pallbearers, the pallbearers shall follow the casket in columns of twos and occupy pews to the left front.

4. The funeral director moves the church truck as previously arranged by the clergy. If there is no church truck, the pallbearers shall carry the casket as instructed.

5. When the casket appears at the entrance of the chapel at the conclusion of the service, the funeral escort and honorary pallbearers repeat the procedure as described. After the casket is placed in the hearse, the escort shall immediately go to their cars.

F. Graveside Services

1. Upon arrival at the cemetery, MOS shall immediately execute the formation using the same procedures as above. MOS participating in a graveside service shall be in position upon arrival of the deceased. During the graveside service, the commanding officer shall arrange the MOS in formation. MOS shall stand at parade rest when the casket is standing over the grave.

2. After the service is complete, the commanding officer shall bring MOS to attention and dismiss them.

G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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POLICE
SERVING SINCE 1981

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STANDARDS AND PROCEDURES

LINE OF DUTY DEATH

Section: 3
Chapter: 3
Article: 4

GENERAL STANDARD

It is the policy of the Rio Rancho Rio Rancho Police Department to provide a liaison to assist immediate family members of any MOS who dies in the line of duty to ensure the proper support and emotional care for MOS's family. Emotional and financial support will be provided whether the MOS's death was unlawful or accidental while performing a work-related function, either on or off duty, and while the MOS was an active member of the Department.

Coordination of events following a line-of-duty death is an extremely important and complex responsibility. Professionalism and compassion must be exhibited at all times as an obligation to the MOS' survivors and to the public safety community. In order to provide the best possible services and support for the MOS' family, selected MOS may be assigned to assist.

DEFINITIONS

Family Liaison: An MOS who shall be constantly available to the family to assist them during this highly stressful time and to act as a "facilitator" between the family and DPS to ensure that the needs of the family are met.

Benefits Coordinator: An employee of the Human Resources Department who will assist the family in identifying available benefits, and assist with completing necessary paperwork to receive the benefit.

Hospital Liaison: This MOS is generally the first supervisory official to arrive at the hospital other than the Chief of Police or his representative. This position is used only in the event an MOS is critically injured and transported to a medical facility.

Department Liaison: An MOS assigned to work closely with the family liaison to ensure that the needs of the family are fulfilled and proper media releases are prepared pertaining to the Line of Duty Death.

STANDARDS AND PROCEDURES

A. All MOS shall complete the coversheet and emergency contact information in the Personal Financial Diary, which will indicate the MOS' preference for their family liaison.

1. MOS shall update the information contained in the Personal Financial Diary on an annual basis or whenever changes are needed.
2. MOS are not required to complete the entire Personal Financial Diary. However, MOS are urged to complete the entire diary so their family will have the information in the event of a line of duty death.
3. The Personal Financial Diary shall be maintained in the employee's annual evaluation file for access should the need arise.
4. After completing the diary, or updating the information, MOS shall seal the envelope to maintain privacy. The envelope may only be opened under the following circumstances:
 - a. By the MOS who completed the diary, for updating the information.
 - b. By a supervisor, in the event, the MOS is critically injured to the point of incapacitation, and information is needed to make notifications.
 - c. By a supervisor, in the event the MOS is killed in the line of duty.

B. Assignment of MOS

1. The supervising officer on the scene of an MOS line of duty death shall immediately determine the need to assign MOS to assist the immediate family. The supervisor shall assign an MOS to perform, as the family liaison until the MOS designated in the deceased Personal Financial Diary is available.
2. The Chief of Police or his designee will request the Human Resources Department to assign an MOS as a benefits coordinator to work with the family liaison to assist the family in receiving benefits to which they are entitled.

C. Responsibilities of the Family Liaison

1. The family liaison is a mandatory assignment. The Department will attempt to assign this task to the individual requested by the deceased in their Personal Financial Diary. In the event this individual is unavailable, the Department will assign an MOS who enjoyed a close relationship with the deceased and his family.
2. The family liaison shall remain constantly available to the family, and act as a "facilitator" between the family and the Department to ensure that the needs of the family are met.
3. The family liaison shall assist the family with funeral arrangements and inform them of what the Department will provide if they choose to have a formal Department funeral.



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4. The family liaison shall keep the family informed as to the status of the investigation.
 - a. Information concerning the investigation shall be provided without unnecessary delay.
 - b. The investigation supervisor shall determine what information may be given without compromising the investigation.
5. The family liaison will be provided a pager or cellular phone so they may remain available to the family at all times.

D. Responsibilities of the Benefits Coordinator

1. The benefits coordinator is responsible for gathering information on all benefits available to the family and assisting the family in filing the appropriate benefit paperwork.
2. The benefits coordinator shall follow up with the family to ensure that all benefits are being received.

E. Responsibilities of the Hospital Liaison

1. The hospital liaison is responsible for coordinating with hospital personnel to provide an appropriate waiting area for the family, the Chief of Police, the benefits coordinator, and others requested by the immediate family.
2. The hospital liaison should inform the hospital-billing staff that all medical bills relating to the injured or deceased MOS be directed to the City's Human Resources Department.
3. The hospital liaison shall update the family regarding the incident and the MOS's condition upon their arrival at the hospital. The hospital liaison may arrange transportation for the family as needed.

F. Responsibilities of the Department Liaison

1. The department liaison role will normally be assigned to the Public Information Officer (P.I.O.). The department liaison will work closely with the family liaison to ensure that the needs of the family are fulfilled.
2. The department liaison will prepare and coordinate all media releases. In the event the family decides to accept an interview, the P.I.O. should attend the interview to "screen" questions presented to the family to minimize jeopardizing subsequent legal proceedings.
3. The department liaison may coordinate the funeral activities of the Department and attending agencies according to the wishes of the family.

G. MOS assigned as benefits coordinator; hospital, family or department liaison should refer to the Line of Duty Death Manual for further information or instruction.

H. This Procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

CHAPLAINCY PROGRAM

Section: 3
Chapter: 3
Article: 5

GENERAL STANDARD

The purpose of the Department Chaplaincy Program is to provide a more sensitive response to the public in times of crisis and to provide the Department and its MOS with any personal assistance. The Police Chaplains will be available on a 24-hour basis. In the interest of assisting the public and the members of the Department, the Chief of Police may authorize Police Chaplains to assist other departments and agencies.

DEFINITIONS

Steering Committee – A committee designated by the Chief of Police that decides on the priorities, the order of business, and manages the general course of its operations for the Department Chaplaincy Program.

STANDARD

- A. The Chaplaincy serves the community and MOS in times of emergencies, traumatic events, public periods of mourning and commemoration, and it serves to strengthen and enhance the services which the Department provides to the community. The Chaplaincy will be available on-call to provide assistance for human relation problems.

The Police Chaplaincy strives to be a particularly close friend to the officers and citizens. The Police Chaplain shall not attempt to moralize, proselytize or criticize members of the Department, or the general public.

B. Program

1. Chaplaincy Volunteers shall act as liaisons and envoys between groups and individuals from the City's communities and the Department.
2. While some person-to-person verbal communication may be considered confidential under certain circumstances, Chaplaincy Volunteers and MOS shall be conscientious and exercise all caution that is reasonable and necessary regarding written communications in order to protect the public's trust and confidence in the City, the Department, and its programs and operations.
3. The Chief of Police has the authority to appoint and dismiss any Chaplaincy Volunteer without cause or prior notice. Upon his own discretion, the Chief of Police, may appoint a Lead Chaplain and two Assistant Lead Chaplains. The Steering Committee shall report directly to the Chief of Police or to whom he designates as an alternate. The Steering Committee shall be transparent, accountable, and responsible for matters pertaining to the operations of the Chaplaincy. The Steering Committee shall undertake the following:
 - a. Plan, organize, and direct the community and internal activities and operations of the Chaplaincy.
 - b. Submit to the Chief of Police quarterly reports detailing the Chaplaincy's community and internal events, programs, projects and activities.
 - c. Produce, update, and maintain the Department with a complete roster of all authorized chaplains.
 - d. On an annual basis verify and confirm in writing that all chaplains have maintained good standing status with their respective, faith-based organizations.
 - e. Provide an annual evaluation examining the Chaplaincy's effectiveness in its primary objectives to provide support and to serve as liaisons and envoys between the Department and the City's communities. The evaluation shall include an examination of the City's various faith communities and the methods by which the Chaplaincy has connected, or needs still to connect with them.

C. Uniforms

1. To ensure standardization and uniformity in appearance, authorized chaplains shall be issued official uniforms. When required, all chaplains shall wear uniforms or equipment issued and approved by the Department.
2. Badges and credentials, reflecting the title of "Chaplain" will be issued. The badge and credentials will be in the Chaplain's possession when involved in Department activities and shall be presented when required.
3. Call-out uniform: The Department shall provide all chaplains with a polo shirt and/or jacket that will clearly indicate "Chaplain". The polo shirt and/or jacket shall be worn by the on-duty chaplain while performing in the capacity of a Department Chaplain.
4. Class A Uniform: The Department shall provide all chaplains with one set of the following uniform to be worn for special events (i.e., funerals, weddings, inspections, Department authorized ceremonies, etc.) as authorized by the Chief of Police or designee:
 - a. Blouse or Coat. A single-breasted, dark navy blue coat with gold "P" buttons, two lower front pockets, and 1/4 inch gold piping on each cuff shall be worn with the Class A Uniform.
 - b. Shirt: A white, long-sleeved shirt with an approved Department Chaplain patch attached to both sleeves. A white crew neck tee shirt, purchased by the Chaplain, shall be worn underneath the uniform shirt.



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- c. Trousers: Dark, navy blue trousers.
 - d. Tie: A navy blue clip-on tie, with no tie bar or tie tack.
 - e. Shoes: Plain toed, black boot or shoes with a high gloss shine.
 - f. Belt: Plain black, polished, garment belt, with a brass buckle. The brass buckle shall be polished.
 - g. Brass: All brass shall be issued by the Department and will include:
 - 1) Badge – To be worn on the uniform shirt over the left upper breast pocket. The badge shall be kept polished.
 - 2) Name Tag – To be worn on the uniform shirt on the right breast pocket flap. The nametag shall be centered and aligned with the second row of stitching of the upper breast pocket flap.
 - 3) Collar Insignias - One insignia shall be worn in the center of both wings of the uniform shirt collar. Both insignias shall be shined and polished.
 - a) Insignia for chaplains shall be consistent with the faith group they represent. All insignia shall be approved by the Chief of Police.
 - 5. In no event shall a chaplain wear any other item or paraphernalia, unless authorized in writing by the Chief of Police.
 - 6. A chaplain shall not wear a uniform except in an official capacity or when otherwise approved by the Chief of Police.
- D. Authority
- 1. Chaplaincy Volunteers are authorized to visit Department facilities and incident scenes where activities indicate a need for services.
 - 2. Chaplaincy Volunteers may communicate with Department MOS if Chaplaincy services are requested, provided such communication does not interfere with Department's Chain of Command, internal or external operation or, otherwise, does not jeopardize the public's trust or confidence in the Department or the City.
 - 3. Department MOS and their families may request chaplaincy services directly from a chaplain.
 - 4. Chaplaincy Volunteers shall have access to Department MOS to an extent which the Chief of Police determines is reasonable and necessary. No Chaplaincy Volunteer shall attempt to circumvent, influence, criticize, detract from, or subvert any MOS's faith choice. No MOS shall be coerced, compelled, or induced to perceive that participation or acceptance is compulsory regarding the religious or spiritual context of the Chaplaincy or participation in any of its activities, operations, or projects.
 - 5. Chaplaincy Volunteers may accompany officers in Department vehicles as an observer or while being transported to or from a Department event or scene.

E. Restrictions

Because chaplains are voluntary, non-paid and non-certified law enforcement MOS, certain restrictions shall apply in normal field operations. The intent of this section is to avoid chaplains being mistaken as a police officer, which may expose them to unnecessary risk or harm. However, these restrictions do not apply in emergency circumstances where a chaplain has been authorized by an officer or the Chief of Police to perform. Chaplains will:

- 1. Comply with orders and instructions of the officer-in-charge of the operation.
- 2. Not take police action when performing in their official capacity.
- 3. Not carry any firearm, non-lethal weapons or any other type of weapon.
- 4. Not operate Department vehicles.
- 5. Not overtly display their badge of office except in the performance of their duty.

F. Duties and Responsibilities

- 1. Chaplains are to attend monthly training. These training sessions will be used to exchange information about upcoming activities, training, or fellowship.
 - a. All training records shall be maintained by the Lead Chaplain and filed with the assigned Chaplain Coordinator.



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2. Chaplains should strive to participate in Department operations and functions. Chaplains should:
 - a. Respond to spiritual, pastoral, or counseling requests of Department MOS and their families.
 - b. Assist Department officials with providing death or serious injury notifications.
 - c. Respond to hospitals when incidents of on-duty serious injury or death of MOS occur and perform duties as appropriate.
 - d. Visit sick or injured MOS.
 - e. Participate in funeral or memorial services for active or retired MOS, and assist their family members in preparation of funeral arrangements.
 - f. Respond to the Incident Command Post on the occasion of a major incident or disaster.
 - g. Participate in stress reduction programs and peer support teams.
 - h. Attend departmental promotion functions, award ceremonies, dinners, social events, graduation ceremonies, and offer invocation and benediction.
 - i. Perform other services that may be required by the Chief of Police or designee.
3. Chaplains who have excessive absences from monthly training and fail to complete requirements may be recommended for removal from the program by the steering committee. The Chief of Police will make the final determination for removal.

G. Requesting Chaplain Services

1. Any MOS may make a request for a chaplain. MOS making contact by telephone or in person should utilize the on-call chaplain list provided to communications.
2. For death scenes or critical incidents, it is highly recommended to request that a chaplain respond. Bearing in mind that persons involved or being notified may not realize the benefit or services that a chaplain provides. If the family requests a particular denomination or specific clergy member, the on-call chaplain will arrange for these services.
3. MOS or family members may contact a chaplain directly to utilize their service for personal needs.

H. Chaplain Qualifications

1. To ensure integrity and conformance with national standards, all applicants for the Chaplaincy Program must:
 - a. Complete volunteer application with Human Resources,
 - b. Be an ordained or licensed member of a recognized faith community in Rio Rancho or the greater metropolitan area,
 - c. Never have been convicted of a felony crime,
 - d. Possess a valid New Mexico Driver's License,
 - e. Complete an interview with the Department Chaplain Steering Committee,
 - f. Be recommended for service by the Steering Committee,
 - g. Pass a background investigation, and
 - h. Be authorized by the Chief of Police for service.

I. All Chaplains, upon selection to service, shall:

1. Complete training orientation,
2. Complete mandated in-service Departmental training as approved by the Chief of Police,
3. Adhere to the constitution and laws of the United States and State of New Mexico, and
4. Conform to established policies, procedures and protocols of the Department.



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J. Compensation and Benefits

1. Insurance Coverage: Chaplaincy Volunteers are not covered by the City's insurance if ever they are injured, become ill, or die. Chaplaincy Volunteers are not covered by the City's insurance policy for employees, nor entitled to receive any injury, illness, or death benefits provided to City employees. Chaplains are program volunteers, whose illness, injury, or death must be covered by their own personal insurance.
2. Compensation: Chaplains will not receive payment, benefits, or otherwise be compensated for hours worked.
3. The City may provide membership dues to appropriate affiliations upon authorization by the Chief of Police. The Steering Committee is responsible for formally requesting and recommending such memberships and applicable dues.

K. The Chaplaincy Program will provide 24-hour services to the Department.

1. Each chaplain will be assigned on-call duty days.
2. On-duty chaplains shall be available at all times via telephone, and shall respond when requested.
3. The duration of on-call status will be determined by the Steering Committee and approved by the Chief of Police. The Lead Chaplain will provide updated schedules to the Communications Center.
4. It is the on-call duty chaplain's responsibility to arrange for substitutes from among other chaplains in the event they cannot provide coverage for a scheduled tour of duty.
5. When providing field services ministry, the chaplain should, as soon as practical, notify the involved person's clergy. The chaplain should make proper referrals in those cases that need specialized attention. A directory of services will be a part of a kit available to each chaplain.
6. Chaplains should properly identify themselves, be courteous, and conduct themselves in a manner becoming of a chaplain, a concerned citizen, and a representative of the Department.
7. On-duty chaplains shall make a report on all field service cases using email as the primary source of communication. The report shall be made within 24 hours of the incident. These reports shall be forwarded to the Steering Committee.
8. Chaplains are not to release any information on cases they work, to any person outside the Department to include news media or insurance agencies. All information will be held in confidence and used only for the benefit of the person(s) involved.
9. Chaplains shall not hesitate to ask for an MOS to meet and assist them when necessary.
10. Chaplains are allowed to make follow-up calls at their discretion or make a follow-up request to the chaplain of the day.
11. Chaplains shall not take part in or become a part of the normal Department grievance procedures.

L. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 3
Article: 6

RETIRED OFFICERS CONCEALED CARRY**GENERAL STANDARD**

Retired law enforcement officers, who are retired from the Department are authorized to carry firearms in accordance with Federal, State, local laws and Department policies. The decision to carry a firearm is a matter of good judgment based on circumstances. Discretion and safety shall be exercised while handling firearms.

The purpose of this procedure is to provide general guidelines and procedures for retired officers pursuant to the Law Enforcement Officer's Safety Act of 2004.

STANDARDS AND PROCEDURES

A. The Rio Rancho Police Department will comply with the Law Enforcement Officer's Safety Act of 2004, (LEOSA), and enacted July 22, 2004 as Pub. L. 108-277 and is coded as 18 U.S. Code 926C. The act permits the nationwide carrying of concealed handguns by qualified retired law enforcement officers and amends the Gun Control Act to exempt qualified retired law enforcement officers from state and local laws prohibiting the carry of concealed firearms. This authorization will not supersede or limit the laws of any state that:

1. Permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property.
2. Prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park.

B. As used in this procedure the term "qualified retired law enforcement officer" means an individual who:

1. Retired in good standing from the Rio Rancho Police Department as a law enforcement officer, other than for reasons of mental instability.
2. Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for any violation of law, and had statutory powers of arrest.
3. Before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more or,
 - a. Retired from service from the Rio Rancho Police Department due to a service connected disability, and
 - b. Completed an applicable probationary period as determined by the Rio Rancho Police Department.
4. Has a non-forfeitable right to benefits under the retirement plan of the agency.
5. During the most recent 12-month period, has met State of New Mexico standards for training and qualification for active law enforcement officers to carry firearms.
6. Costs associated with the retiree's qualification shall be the responsibility of the retiree.
7. Is not under the influence of alcohol or another intoxicating drug or hallucinatory substance.
8. Is not prohibited by Federal law from receiving a firearm.

C. The identification required by the Rio Rancho Police Department shall be:

1. A photographic identification card labeled "RETIRED POLICE OFFICER" issued by the Rio Rancho Police Department.
2. A certification that indicates the bearer has met all State of New Mexico requirements for active duty law enforcement officers.

D. The retired officer shall be required to qualify with each handgun that the retiree will carry under the LEOSA authority.

E. The retired officer shall be required to provide a written affidavit specifying they are qualified to carry a concealed firearm under LEOSA authority.

F. The retired officer may be required by the Chief of Police or his designee, upon receipt of a medical information release form signed by the retired officer, to receive medical clearance before being allowed to complete qualification requirements. Costs associated with acquiring a medical clearance will be the responsibility of the retired officer. In no case will an individual deemed medically or psychologically unfit to carry a weapon be allowed to qualify or authorized to carry under LEOSA authority.

G. Qualification standards for retired officers shall include the successful completion of State of New Mexico standardized qualification courses. In addition, the retired officer shall abide by the following:

1. The retired officer shall notify the Rio Rancho Police Department of their intention to qualify with a weapon to be carried under LEOSA authority.
2. Qualifications will be scheduled by the Firearms Coordinator.



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RETIRED OFFICERS CONCEALED CARRY

3. The minimum qualifying score will be in accordance with State of New Mexico Law Enforcement Academy standards.
 4. Complete a "Carrying of Firearms Request" with necessary information and submit the form for approval and filed with the Training Division.
 5. Retired officers shall sign a waiver of liability with the City of Rio Rancho and the Rio Rancho Police Department prior to qualification for all acts taken related to the carrying of a concealed firearm. This waiver will acknowledge their personal responsibility as a private citizen when carrying a concealed firearm and not as a former employee of the Rio Rancho Police Department. The waiver shall release the Rio Rancho Police Department from any claim or action resulting from any injury suffered during the qualification activities.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures



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STANDARDS AND PROCEDURES

VOLUNTEERS

Section: 3
Chapter: 3
Article: 7

GENERAL STANDARD

This policy establishes the Rio Rancho Police Department's position on the utility and management of its volunteer program and provides guidance on its management and administration.

Volunteers are an important part of any organization and are proven to be a valuable asset to law enforcement agencies. Volunteers help to increase police responsiveness, service delivery, and information input, and they provide new program opportunities. In addition, volunteers can bring new skills and expertise to the job and prompt new enthusiasm. It is the policy of this police department to use qualified volunteers for specified tasks and duties that can create efficiencies for the department and improve services to the community. Volunteers are intended to supplement and support, rather than supplant, sworn officers' and civilian personnel.

DEFINITIONS

Volunteer: Someone who performs service for the department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve officers, interns, persons providing administrative support, and youth involved in a Law Enforcement Explorer Post, among others.

STANDARDS AND PROCEDURES

A. Administration

1. The Administrative Services Manager, or his or her designee, shall be responsible for the following:
 - a. Selecting and training qualified volunteers for various positions,
 - b. Maintaining employment records for each volunteer,
 - c. Maintaining a record of volunteer schedules and work hours,
 - d. Completion and dissemination as appropriate of all necessary paperwork and information, and
 - e. Planning periodic recognition events,
2. All requests for volunteers shall be routed through the designated chain of command for review and volunteer selection.

B. Recruitment

1. Volunteers shall be recruited consistent with this department's policy on equal opportunity nondiscriminatory employment. A primary qualification for participation in the application process shall be an interest in and an ability to assist the agency in serving the public.

C. Screening

1. All prospective volunteers shall complete the volunteer application and Information form.
2. The Administrative Services Manager, or designee, shall conduct an interview with an applicant under consideration.
3. A documented background investigation shall be completed on each volunteer applicant and shall include but not necessarily be limited to the following:
 - a. Traffic and criminal record
 - b. Employment
 - c. References

D. Selection and Placement

1. Upon their selection, applicants shall receive confirmation, either verbal or written, prior to the start of service.
2. All volunteers shall be required to sign a volunteer agreement.
3. Volunteers shall be placed only in job assignments or programs that are consistent with their knowledge, skills, abilities, and the needs of the agency.



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E. Position Description

1. Volunteers shall be provided with a comprehensive written position description detailing their duties.
2. Volunteers shall be used only in accordance with this description. Volunteers shall not work without a written job description or outside the limits of job responsibilities specified in the job description.
3. Position descriptions shall be reviewed periodically to ensure that they accurately reflect the volunteer's duties and responsibilities.

F. Training

1. Volunteers shall be provided with an orientation program to acquaint them with the department, personnel, policies, and procedures that have a direct impact on their work assignment.
2. Volunteers shall receive position-specific training to ensure they have adequate knowledge and skills to complete tasks required by the position.
3. Volunteers shall receive periodic ongoing training as deemed appropriate by their supervisor or Administrative Manager.
4. Training shall reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are, sworn officers or other full-time members of the department. They shall always represent themselves as volunteers.
5. All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the department.

G. Fitness for Duty

1. No volunteer shall report to work or be on duty when his or her judgment or physical condition has been impaired by alcohol, medication, other substances, illness, or injury.
2. Volunteers shall report to their supervisor any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:
 - a. Driver's license,
 - b. Medical condition
 - c. Arrests
 - d. Criminal investigations

H. Dress Code

1. Volunteers shall conform to department-approved dress consistent with their duty assignment.

I. Confidentiality

1. With appropriate security clearance, volunteers may have access to confidential information such as criminal histories or investigative files. Unless otherwise directed by a supervisor or departmental policy, all police information shall be considered confidential. Only that information specifically identified and approved by authorized personnel shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by departmental policy and supervisory personnel.
2. Each volunteer shall sign a nondisclosure agreement. Subsequent disclosure of any confidential information, verbally, in writing, or by any other means, shall be grounds for immediate dismissal and possible criminal prosecution.
3. Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any information concerning the activities of the agency, or maintain that they represent the agency in such matters without permission from the proper agency personnel.

J. Property and Equipment

1. Volunteers shall be issued an identification card that must be worn at all times while on duty.
2. Any fixed and portable equipment issued by the agency shall be for official and authorized use only.



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3. Any property or equipment issued to a volunteer shall remain the property of the agency and shall be returned at the termination of service.

K. Disciplinary Procedures/Termination

1. A volunteer may be removed from the volunteer program at the discretion of the Police Chief or his or her designee. Termination of volunteers shall not be subject to due process considerations and volunteers shall have no property interests in their continued employment.

L. Evaluation

1. An evaluation of the overall volunteer program shall be conducted on an annual basis.
2. Regular personnel evaluations shall be conducted with volunteers to ensure the best use of human resources available, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum job satisfaction on the part of volunteers.

M. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

PUBLIC SAFETY AIDE

Section: 3
Chapter: 3
Article: 8

GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to develop and maintain a Public Safety Aide (PSA) program consisting of PSA's providing support for MOS. The significant difference between the Police Officer and the Public Safety Aide lies in the exposure to dangerous situations and their arrest and enforcement responsibilities. PSA's are civilian employees with limited enforcement responsibilities and NO ARREST powers.

STANDARDS AND PROCEDURES

A. Purpose of the Public Safety Aide Program

1. Augment MOS and relieve them of routine, non-priority duties.
2. Perform duties associated with the DWI Seizure program, with direction/assistance of the DWI Seizure Officer.
3. Provide assistance to motorists in need.
4. Summon the on-call wrecker at the request of a motorist, after explaining that the motorist is responsible for all towing charges.
5. Complete official reports as required.
6. Prepare supplementary reports, direct traffic, assist officer, and respond to calls for service that are non-emergency in nature.
7. Participate in special details such as transporting victim/witnesses, DUI checkpoints, and other duties as assigned.
8. Investigate non-injury traffic crashes occurring on public roadways and private property. Once at the scene of a non-injury crash occurring on private property, PSAs will handle the crash investigation and will not advise citizens to make station reports.
9. Assist patrol MOS and traffic MOS at the scene of injury and fatal crashes with scene security, traffic control, and direction, locating and obtaining witnesses, transporting passengers/witnesses, taking measurements, tow-in reports, tagging evidence, and any other assistance as needed.
10. Administer vandalism and petty larceny reports where there is no offender information and which no follow-up investigation is required.
11. Issue Citizen Self-Report forms or direct citizen to online self-reporting forms by applicable policy.
12. Respond to lost or found property calls to retrieve items for safe keeping.
13. Assist the Duty Officer as needed.
14. Testify in civil and criminal court proceedings and give depositions.
15. Provide information and assistance to the public, victims, witnesses, and relatives concerning available services in the community and services provided by other city, county, and state agencies when applicable.
16. Provide School Crossing Guard duties when necessary.
17. Assist MOS in any non-hazardous situations.
18. Perform other assignments as required.

B. Motor Vehicle Operation

1. PSA's are required to operate a motor vehicle in the performance of assigned tasks.

C. Limitations of Duty

1. Should a PSA encounter a potentially hazardous incident that they are not authorized to handle, he/she will move a safe distance from the area, notify Dispatch, and request an MOS.
2. PSA's will not respond to the following types of calls unless directed to do so after the scene by a supervisor or MOS.
 - a. Felony offenses except DUI.
 - b. Audible or silent alarms.
 - c. Officer in need of assistance.



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- d. Vehicular pursuits.
 - e. Burglaries where the offender may be present.
 - f. Suspicious deaths.
 - g. Foot pursuits.
 - h. Welfare checks on emotionally disturbed persons.
 - i. Self-initiated traffic stops.
 - j. Stand by with, or guard suspects or offenders.
 - k. Shall not identify him/herself as a police officer.
 - l. Shall not attempt to unlock vehicles using "slim jims" or other unlocking devices. May summon a locksmith at the motorist's request or may call a third party when extra keys are available.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 4
Article: 1

DEPARTMENT MEDIA RELATIONS**GENERAL STANDARD**

The Department shall be impartial and cooperate with authorized media representatives in their efforts to gather factual, public information pertaining to Department activities, as long as these efforts do not unduly interfere with Department operation, infringe upon individual rights or violate a court order or the law.

The release of information shall be dictated by the New Mexico Inspection of Public Records Act. (NMSA 1978, Chapter 14, Article 2). Formal requests that are received citing the Inspection of Public Records Act shall be forwarded to the City Clerk for disposition.

PROCEDURE**A. Duties of the Public Information Officer (PIO)**

1. To assist media personnel in covering routine news stories, and at the scene of incidents,
2. To assist the media on an on-call basis,
3. To prepare and distribute news releases,
 - a. Press releases are developed and distributed on an as-needed basis.
 - b. Press releases relating to a matter of public safety and concern are disseminated through the media alert system.
 - c. Press releases relating to a matter of public interest will be distributed as determined by the PIO or other designees of the Chief of Police.
4. To arrange for, and assist at, news conferences,
5. To coordinate the authorized release of public information, and
6. To assist in crisis situations.

B. Cooperation with the Media

1. Authorized media representatives shall have reasonable access to the PIO and public information. When information must be denied to a media representative, the basis for that denial shall be courteously explained.
 - a. Access to information shall be in conformance with New Mexico State statutes.
2. The Department recognizes authorized identification from all local, national and international news organizations. Failure of media personnel to present authorized identification may provide grounds for restricting access to requested information or to incident scenes.
3. Public information shall be released to the media as promptly as circumstances allow, without partiality and in as objective a manner as possible.
4. Public information may be provided to media representatives by telephone if the identity of the representative is known or can be authenticated.
5. Ranking officers at crime or incident scenes may release information of a factual nature to the media as governed by policy or refer the inquiry to the PIO.
6. Written press statements shall be released only following approval of the Chief of Police.
7. Communications shall inform the on-duty supervisor as soon as possible upon receipt of information about events or activities that may have media interest.
8. The on-duty supervisor shall be responsible for ensuring that the PIO and the Chief of Police are informed of events that may have media interest.
9. Media representatives shall be afforded the opportunity to participate in the ride-a-long program. Media representatives will be required to complete and submit a waiver form for authorization.

C. Investigative Information

1. From the initial stage of an investigation until the completion of trial or disposition without trial, MOS shall refer all requests for information to the PIO.
2. Investigative information that may be released includes:
 - a. The type or nature of an incident or crime,



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DEPARTMENT MEDIA RELATIONS

- b. The location, date and time, injuries sustained, damages and a general description of how the incident occurred,
 - c. The type and quantity of property taken,
 - d. The identity and approximate address of a victim, with the exception of sex crime victims, and other cases where reprisals or intimidation may occur,
 - e. Requests for aid on locating evidence, a complainant or a suspect,
 - f. The number of officers or people involved in an incident or investigation, and the length of the investigation, and
 - g. The name of the officer in charge of a case, his supervisor and assignment, except that the name of any undercover officer will not be released.
3. Information that may not be released in connection with an investigation, unless authorized by the Chief of Police. This includes:
- a. The identity of a suspect prior to formally being charged unless such information would aid in apprehending the suspect or serve to warn the public of potential danger.
 - 1) The release of information regarding victims, witnesses, and suspects must first be coordinated and authorized by the designated PIO and the supervisor in charge of the investigation.
 - b. The identity of any victim of a sex crime or any related information, which if divulged, could lead to the victim's identity,
 - c. The identity of victims or witnesses if such disclosure would prejudice an investigation to any significant degree, or if it would place the victim in personal danger,
 - d. The identity of any juvenile who is a suspect or defendant in a case subject to the jurisdiction of the juvenile court,
 - e. The identity of any critically injured or deceased person prior to notification of next of kin,
 - f. The results of any investigative procedure such as lineups, polygraph tests, fingerprint comparison, ballistics test or other procedures,
 - g. Information, which if prematurely released, may interfere with the investigation or apprehension (e.g., the nature of leads, specifics of the method of operation, details of the crime known only to the perpetrator and the police, or information that may cause the suspect to flee or more effectively avoid apprehension),
 - h. Records which deal with physical or mental examinations or treatment,
 - i. Specific cause of death unless officially determined by the medical examiner, and
 - j. The home address or telephone number of any member of the department.
- D. Arrest Information
- 1. Following arrest, issuance of an arrest warrant or filing of an information or indictment, it is permissible to release the following:
 - a. The charged or indicted person's name, age, residence, occupation and family status,
 - b. The time and place of arrest, whether pursuit or resistance was encountered, whether weapons were used, charges placed against the suspect and description of contraband seized,
 - c. The identity of the arresting officers and the duration of the investigation unless the officers are engaged in undercover operations, or
 - d. The amount of bond, scheduled court dates and place of the suspect's detention.
 - 2. Following formal charging of a suspect, but prior to adjudication, the following types of information shall not be released without authorization from the Chief of Police:
 - a. Prior criminal conviction record, character or reputation of a defendant,
 - b. Existence or contents of any confession, admission or statement of a defendant, or his failure or unwillingness to make a statement,
 - c. Performance or results of any tests, or a defendant's refusal or failure to submit to tests,



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- d. Statement of credibility or expected testimony of any witness or victim,
- e. Any opinion about the guilt or innocence of a defendant or the merits of the case, or
- f. Any opinion or knowledge of the potential for a plea bargain or other pretrial action.

E. Special Considerations

1. MOS shall not authorize media representatives any greater access to crime scenes than authorized to the general public.
2. The media shall not be allowed access to any area or scene of an incident or crime where there is a possibility that evidence may be damaged, altered, destroyed or otherwise prejudiced by its existence being published or portrayed.
 - a. On private property, MOS shall not authorize presence or entry of media. Photography, film or videotape recording requires the permission of the owner or the owner's representative.
 - b. Suspects or accused persons in custody shall not be posed or arrangements made for photographs, telecasts or interviews, nor shall MOS pose with suspects or accused persons in custody.
 - c. When an individual is charged with a criminal offense and is sought by law enforcement authorities, photographs or mug shots may be released to the media to help locate the individual. No Departmental photographs, mug shots, videotape, film or composites of subjects in custody shall otherwise be released to the media unless authorized by the Chief of Police.
3. At the scene of major crimes, such as hostage and barricade situations, the officer in charge shall designate a preliminary press area as early as possible and as close to the scene as safety and operational requirements allow.
4. The fact that a suicide or suspected suicide has occurred may be reported to the media, along with factual information describing how it happened. The name, age, address, sex and occupation of the victim may also be released following notification of next of kin. The fact that a suicide note exists may also be acknowledged without further comment. The content of such notes is personal and confidential and shall not be released unless authorized by the Chief of Police.
5. Media representatives should not be prevented from access to any area solely because of the possibility of their injury or death. If this is the only consideration, the media representative should be advised of the danger and allowed to make the decision to enter.
6. Information relating to internal investigations of MOS shall not be released without the authorization of the Chief of Police.
7. Reports of criminal activity shall be made available on a routine basis to media representatives.
8. Media representatives shall be denied access to the contents of investigative or incident reports and records where release of the information would:
 - a. Interfere with law enforcement proceedings, including pending investigations,
 - b. Deprive a person of the right to a fair trial or an impartial adjudication, or give one party to a controversy an undue advantage by exclusive access to such information,
 - c. Constitute an unwarranted invasion of the personal privacy rights of another person,
 - d. Reveal the identity of an individual who has furnished information to the Department under confidential circumstances,
 - e. Disclose investigative techniques and procedures, thereby impairing future effectiveness of the Department,
 - f. Endanger the life or physical safety of any person, or
 - g. Contradict a restraining or injunctive order (gag order) issued by any court of record.

F. Procedure for Releasing Information When Other Public Service Agencies are Involved in a Mutual Effort

1. The PIO will work jointly with the PIO's of other agencies involved in a mutual effort regarding law enforcement, community awareness or special projects.
2. The PIO of the primary investigating agency will take the lead role in scheduling public announcements, notifying the media and conducting the news briefing.
3. In situations where the Rio Rancho Police Department deals with an incident involving the Fire Department or other local agency, the agency with primary jurisdiction over the incident will respond to media inquiries. In cases of inquiries regarding areas of special expertise, the agency with that expertise will respond.



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4. PIOs from partnering agencies will assist with news release information and accompanying mug shots of those arrested or those individuals involved in criminal activity sought through the help of the news media as directed by the primary agency PIO. The PIO efforts should be conducted jointly in an effort to ensure timely and accurate transfer of information to the public. No information about a joint investigation will be released without the permission by the PIO of the primary agency.
5. In large-scale events involving multiple law enforcement and public safety agencies, a Joint Information Center (JIC) will be opened and staffed by all agency PIOs to coordinate the release of all information about the incident. PIOs from individual agencies will not release any information without the approval of the lead PIO in command of the JIC.

G. Training

1. The Rio Rancho Police Department is committed to providing proper training for its public information officer. Supervisors, line officers, and other personnel who interact with the media shall also be provided access to appropriate training.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedure.



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STANDARDS AND PROCEDURES

RIDE ALONG PROGRAM

Section: 3
Chapter: 4
Article: 2

GENERAL STANDARD

The purpose of the Department's ride along program is to educate individuals on the public safety function, and to promote positive public relations.

The Department shall maintain a ride along program, which limits participation to specific individuals. Individuals considered must demonstrate a valid need or interest in the public safety function as determined by the Chief of Police or as otherwise stated.

STANDARDS AND PROCEDURES

- A. Individuals who request to ride with an on-duty MOS shall:
 1. Be eighteen years of age or older, except Department Explorers,
 2. Be free of any outstanding warrants,
 3. Not be under the influence of alcohol or drugs while riding with an MOS,
 4. Be free of any medical condition that may restrict an MOS's ability to fully perform the public safety function,
 5. Read, complete, sign, and comply with the Department Ride Along Waiver of Liability form.
 - a. Department Reserves, Chaplains and Explorers need only sign the waiver once in a twelve-month period as long as they are active members in good standing.
 6. Have a clear record from official criminal databases, and
 7. Obtain approval from the appropriate Department supervisor.
- B. Supervisors authorized to approve a ride along request shall adhere to the following, before allowing a person to participate in a ride along:
 1. Review the Ride Along Waiver of Liability to ensure it is filled out completely and all required documents are attached,
 2. Ensure the Ride Along Waiver of Liability is current, and the requesting person is eligible to participate, and
 3. Complete the back of the form indicating the date of participation, and the supervisor's initials and employee number.
- C. Sergeants or above may approve the following person(s) requesting to ride along:
 1. An individual who is employed by the Rio Rancho Police Department,
 2. An individual who is employed as a law enforcement officer with another police department,
 3. A Department Reserve Officer, Chaplain or
 4. An active member of the Department Explorer Post.
- D. Lieutenants or above may approve the following person(s) requesting to ride along:
 1. An individual who has a verified, valid interest in the Department. The individual must submit a letter of request within seven working days before the ride a long is to occur. The letter must specify the reason for participation.
 2. Spouses are discouraged to participate in a ride along with their spouse. Approval for spouse ride alongs shall be made on a case-by-case basis.
 3. An individual who is a current applicant in good standing.
- E. Juvenile Explorers who wish to ride with an MOS shall:
 1. Be authorized by the Chief of Police or his designee on an annual basis,
 2. Have a notarized waiver signed by their parent or legal guardian, and
 3. Not ride later than midnight.
- F. Communications shall:
 1. Attach each record inquiry to the waiver form.



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2. Upon being signed and returned, file all records in alphabetical order in the Ride Along Waiver of Liability Form Binder.
- G. The following restrictions shall be considered when assigning individuals to ride with an MOS:
1. Individuals who are involved in a personal relationship with an MOS should ride with another MOS.
 2. Whenever possible, the individual should ride with an MOS of the same gender.
 3. Assignment to an MOS will be voluntary unless circumstances dictate otherwise.
 4. Individuals shall not ride more than six hours per shift or twice in a thirty-day period, unless:
 - a. The individual is a Department Reserve,
 - b. The individual is an active member of the Department's Explorer Post, or
 - c. Written documentation is provided by the individual requesting special consideration that outlines a specific, valid need. This documentation shall be reviewed by the Chief of Police or his designee for consideration.
- H. Individuals, except for certified law enforcement officers, uniformed Department Reserves, and Explorers who ride with an MOS shall:
1. Remain in the vehicle at all times except during breaks or at the station,
 2. Not directly participate in any public safety activities, and
 3. Not operate or handle any equipment within the vehicle except under life-threatening circumstances or when authorized by MOS.
- I. Explorers who ride with an MOS shall:
1. Not participate in any law enforcement function unless the scene is secured, and
 2. Only enter a law enforcement scene upon the direction of an MOS.
- J. Individuals who are approved to ride with an MOS shall:
1. Be well groomed and properly dressed, similar to the dress code of Department non-uniform employees,
 2. Not carry any weapon while participating in the Ride Along Program, unless they are a certified law enforcement officer displaying a badge of office, and
 3. Have their safety belts engaged at all times while the vehicle is in motion.
- K. Any segment of this procedure may be waived for good cause by the Chief of Police or his designee.
- L. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

PARK / WALK / TALK

Section: 3
Chapter: 4
Article: 3

GENERAL STANDARD

Officers shall incorporate park/walk/talk (PWT) into daily patrol activities when possible, or when specifically assigned by a supervisor.

STANDARDS AND PROCEDURES

- A. When an MOS performs a PWT, the MOS will park the patrol vehicle in a visible location, lock it, and conduct visible foot patrol in the PWT zone.
 1. When an MOS conducts a PWT, his primary function will be to make the acquaintance of as many residents or business operators in that zone as possible to interact with citizens who seldom encounter public safety officers.
 2. Contact should be courteous, informal, and friendly in manner and the theme should be to provide better service to the public. Some services are:
 - a. Refer municipal problems to the proper agency,
 - b. Provide crime prevention information,
 - c. Expedite investigations through close relationships with residents,
 - d. Report on conditions affecting the City to the proper department,
 - e. Act as informal feedback on problems relating to the neighborhood or business district, and
 - f. Answer questions related to the public safety function.
 3. An MOS will notify Communications at the beginning and end of the PWT.
 4. Officers performing PWT shall remain available for other calls for service in the city.
- B. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

BICYCLE PATROL

Section: 3
Chapter: 4
Article: 3

A. GENERAL STANDARD

It is the purpose of this policy to provide guidance on the use, utility, and deployment of police bicycles and the general management of police bicycle operations. The Department may utilize bike patrols in specific geographic areas within the City that pose unique law enforcement considerations, to address specific community problems, or for use at special events or assignments.

The use of bicycle patrols is contingent upon the availability of Department approved bicycles in proper working condition, approved safety equipment, and Department approved uniforms. Certified police cyclist MOS are an important component of this Department's strategy for accomplishing its enforcement objectives due to their mobility and stealth as well as their ability to facilitate a variety of law enforcement and crime prevention operations.

STANDARDS AND PROCEDURES

B. DEPLOYMENT: Police bicycles are intended for and authorized for implementation for the following primary functions:

1. Police cyclist MOS may be dispatched or may initiate a response to all calls for service in which their response time is timely.
2. Police cyclist MOS should not normally be dispatched or initiate response to incidents in which their reduced emergency equipment may present service problems. These include but are not limited to the following:
 - a. Traffic accidents in which a vehicle is not movable.
 - b. High-risk felony motor vehicle stops.
 - c. Situations, in which the lack of cover typically afforded by a motor vehicle would be detrimental. The response to these conditions may be permitted where exigent circumstances exist, and motorized units are not readily available, or as a backup where patrol vehicles are already on the scene.
3. All police cyclist MOS assigned to bicycle patrol duties shall be fitted for the properly sized bicycle, and assigned the required safety equipment by the Quartermaster. Police cyclist MOS shall surrender their designated bicycle to the Quartermaster when they leave their current bicycle assignment.
4. Police cyclist MOS may be used for targeted patrol operations based on specific crimes, geographic areas, or crime targets.
5. Due to their mobility and versatility, police cyclist MOS may be given preference where appropriate in response to the following:
 - a. Off-road emergencies, to include enforcement and preventive patrols as required, on trails designated for horses or walking, hiking, and biking.
 - b. Medical emergencies in congested or inaccessible areas, if police cyclist MOS are properly equipped and trained, and if their proximity or response time to the incident may be advantageous.
 - c. Incidents in which the volume of vehicle or pedestrian traffic may inhibit the response of police in motor vehicles.
 - d. Special events, such as parades, festivals, fairs, sporting, and other indoor and outdoor events.
 - e. Demonstrations, for monitoring and controlling crowds.
 - f. Disaster situations in which movement by conventional motorized emergency response vehicles is limited or impossible.
6. Police cyclist MOS may conduct enforcement action within reason. However, particular attention to safety and visibility by motorists of MOS are primary concerns. Marked patrol units shall be requested where appropriate, to provide emergency lighting and cover from traffic.

C. POLICE CYCLIST MOS RESPONSIBILITIES:

1. Before initiating bicycle patrol, police cyclist MOS shall inspect their equipment to ensure that it is in proper working order and will conduct pre-ride checks and basic maintenance on issued equipment. If the MOS discovers a problem he or she cannot fix, a Damaged Equipment Request will be completed and submitted.
2. Police cyclist MOS shall properly care for their assigned and self-purchased equipment. Damaged Equipment Requests shall be completed as appropriate.
3. Inner tubes may be signed for and issued by the Quartermaster as needed.
4. While patrolling at night, police cyclist MOS shall use legally mandated lights and reflective equipment. Where appropriate, and with emphasis on safety of MOS and the public, MOS may employ stealth methods operating without lights.



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BICYCLE PATROL

Section: 3
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5. While patrolling on sidewalks, police cyclist MOS must be alert to pedestrians, recognizing that pedestrians have the right-of-way. Whenever possible, police cyclist MOS should give an audible warning of their approach from the rear, and maintain reasonable speeds and caution on sidewalks.
6. In arrest situations, police cyclist MOS shall request a motorized transport unit for the prisoner if needed.
7. When leaving bicycles unattended, police cyclist MOS shall whenever possible, secure their bicycles with a locking device.
8. During plainclothes operations, police cyclist MOS shall:
 - a. Wear all applicable safety equipment.
 - b. Carry at least the minimum equipment required by the plain clothes assignment.
 - c. Use only bicycles approved by the Department.
9. If minor damage is sustained during the shift, the police cyclist MOS shall notify the Shift Supervisor before the end of the shift. If substantial damage to the bike or injury to the police cyclist MOS or a civilian is sustained during the shift, the MOS shall immediately notify the Shift Supervisor.
10. When not in use, all Department issued bicycles and equipment shall be stored and locked in a Department approved location.

D. SUPERVISOR'S RESPONSIBILITIES:

Direct Supervisors of police cyclist MOS shall ensure the following:

1. Before riding a bicycle in any capacity, all MOS shall be certified police cyclists.
2. Police cyclist MOS shall wear a Department approved uniform unless assignment dictates otherwise.
3. All MOS who conduct bicycle patrol shall attend at least one full-day refresher training class annually, preferably at the start of the cycling season.
4. All MOS who conduct bike patrol shall attend bicycle-specific firearms training, at least once per year.
5. Supervisors shall conduct inspections of bicycle equipment periodically to check serviceability and accountability.

E. QUARTERMASTER'S RESPONSIBILITIES

The Quartermaster shall be designated to ensure the following:

1. All Department purchased bicycles shall be similar color schemes with the primary color being neutral (i.e.: black, white, or gray).
2. A written inventory of all Departmental equipment is maintained, including major bicycle components and accessories.
3. Only certified bicycle mechanics shall complete all advanced repairs if needed.
4. Equipment is replaced when damaged beyond repair.
5. Applicable bicycle maintenance supplies shall be available, as needed (i.e.: inner tubes, chain oil, etc.)

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

SCHOOL RESOURCE OFFICER PROGRAM

Section: 3
Chapter: 4
Article: 5

GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to develop and maintain a School Resource Officer (SRO) Program consisting of officers assigned to various schools within the City of Rio Rancho in order to maintain a liaison between the Department, Rio Rancho Public Schools, and the Community Relations Division.

STANDARD

A. The purpose of the School Resource Officer Program is to:

1. Provide a safe learning environment, and educate the students with a positive view of law enforcement and the importance of citizen responsibility.
2. Increase understanding and respect for law enforcement through interaction during informal situations and activities.
3. Promote and reinforce responsible conduct and become a deterrent to anti-social behavior.
4. Interact with faculty, parents, community and civic leaders to promote positive community relations.
5. Serve as the primary resource to children who are victims in unlawful or otherwise harmful activities.
6. Provide a liaison with other community agencies to promote and facilitate community interaction.

B. Staff Structure

1. A sergeant appointed by the Director will supervise the SRO Program. The sergeant will oversee the SRO activities with the schools, neighborhood associations and JPPO.
2. The SRO Sergeant shall:
 - a. Maintain detailed and accurate records of the operation of the School Resource Officer Program
 - b. Be available for daily contact with the SRO's in order to facilitate administrative needs.
 - c. Complete a daily duty roster.
 - d. Assign and ensure completion of all case investigations.
 - e. Visit each school at least twice each year and be available upon request of school administration.
 - f. Periodically observe SRO presentations.
 - g. Attend school activities as reasonably necessary.
 - h. Submit monthly reports on the progress, accomplishments, problems and resolution strategies of the SRO program.
 - i. Perform other duties in order to ensure the effective and efficient operations of the program.

C. SRO Qualifications

1. Candidates must be a full-time certified public safety officer with the Department and have successfully completed the initial probationary phase of employment.
2. Candidates should be self-motivated and able to work with limited direct supervision.
3. The names of candidates receiving favorable recommendations will be forwarded to the Director for review and appointment.

D. SRO Duties and Responsibilities

1. The SRO is first a law enforcement officer.
2. The SRO shall take law enforcement action as required. As soon as practical, the SRO shall make the school administration aware of such action.
3. The SRO shall be in uniform while performing functions at schools, unless given prior approval from the supervisor.
4. The SRO shall complete incident reports pursuant to Departmental Standards and Procedures, and in accordance with guidelines established by the Department and the school administration.
5. The SRO shall give assistance to other police officers or other law enforcement agencies in matters regarding his/her school assignment whenever



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SCHOOL RESOURCE OFFICER PROGRAM

necessary. This shall include interaction with patrol in order to share information and work together on matters of mutual concern.

6. The SRO shall submit referrals to JPPO or appropriate authorities on incidents of criminal violations.
7. The SRO shall complete FI cards upon contact with individuals believed to be high risk or possibly involved in criminal activity.
8. The SRO shall complete intelligence reports on matters of uncorroborated criminal activity and forward the information to the investigations unit.
9. The SRO may be assigned criminal and non-criminal investigations for follow-up and/or intervention.
10. The SRO shall adhere to School Board policies, Department policies and legal requirements if it becomes necessary to conduct formal interviews of students. These interviews may be in the presence of the principal or their representative, if requested. If it becomes necessary to remove the child from school, the parent or guardian will be notified. The current JPPO and District Attorney's protocols will be adhered to when interviewing children.
11. When requested by the principal, the SRO shall attend parent/teacher meetings to solicit support and understanding of the School Resource Officer Program.
12. The SRO shall attend conferences with students, parents, and faculty in order to assist them with problem solving issues pertaining to law enforcement or crime prevention when requested.
13. The SRO shall become familiar with all community agencies that offer assistance to youth and their families. The SRO shall make information of such agencies available upon request, thereby acting as a resource person to the students, parents and faculty.
14. The SRO shall assist the principal in developing plans and strategies to prevent and/or minimize dangerous situations that may result from student unrest.
15. The SRO may inform the principal of recent apprehensions of students enrolled in their school.
16. The SRO shall perform preventive patrol before and after school hours in order to prevent fights and related problems.
17. The SRO shall take appropriate action in any on-campus situation requiring attention such as:
 - a. Fights.
 - b. Disorderly conduct.
 - c. Vandalism.
 - d. Status offenses.
 - e. Controlled substance offenses.
18. The SRO shall coordinate all of his/her activities with the school administration and will seek permission, advice and guidance before enacting any new programs within the school.
19. The SRO shall make contact with school administrators at the beginning of each school year for determining any policy or program changes.
20. The SRO may schedule or conduct speaking engagements, at the discretion of the SRO, in response to invitations by classroom teachers.
21. The SRO shall attend various after school events in order to prevent violence.
22. The SRO shall not act as the school disciplinarian or counselor; discipline, correction and direction of students are the school's responsibility.
 - a. The SRO may have input into intervention and prevention strategies.
 - b. The SRO may have input regarding available community resources.
23. The SRO shall encourage individual and small group discussions with students based upon material presented in class, to further develop rapport with the students.
24. The SRO may be asked to assist the crime prevention officer in community-wide crime prevention presentations that may include but are not limited to:
 - a. Drug and alcohol issues.



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STANDARDS AND PROCEDURES

SCHOOL RESOURCE OFFICER PROGRAM

Section: 3
Chapter: 4
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b. Sexual assault prevention.

c. Safety related programs.

d. Gang awareness.

25. The SRO shall maintain daily contact with SRO sergeant, and attend weekly briefings.

E. Training

1. The SRO may act as an instructor for specialized, short-term programs at the middle schools, when invited to do so by the school administration. This may include the Gang Recognition Education Awareness Training (G.R.E.A.T.) curriculum. The SRO shall provide a list of subjects he/she is qualified to instruct to the school principal.
2. The SRO should develop expertise in presenting various subjects to the students. Such subjects shall include a basic understanding of law, and the role of the police officer.
3. SRO's are required to attend Department training sessions in order to maintain certifications and proficiency.

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 4
Article: 6

JUVENILE DELINQUENCY PREVENTION**GENERAL STANDARD**

As first responders, law enforcement personnel are uniquely positioned to serve as role models and positively guide the life choices of the youth in our community. As such, every community contact with a juvenile has the potential to garner mutual respect, provide guidance, and result in a positive life direction. The Rio Rancho Police Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. This responsibility is shared by all Department units and MOS.

Definitions

Juvenile - Any person under the age of 18.

Juvenile at Risk - Any person under the age of 18 whose behaviors or life choices endanger their physical, legal, or emotional wellbeing.

Family In Need of Services - Families identified as being in a state of chaos due to internal dynamics that do not foster an environment of safety or thriving due to any number of reasons. These families can be referred to CYFD for voluntary services.

STANDARDS AND PROCEDURES**A. Interacting with Juveniles**

1. MOS are to be vigilant to the profound positive effect that they can have on youth in the community.
 - a. While on patrol and responding to calls, MOS will be on the look-out for opportunities to positively interact with youth.
 - b. This may occur during calls for service.
 - c. This may occur during consensual contacts.
2. When an at-risk juvenile is identified, MOS will provide guidance, mentoring, conversation and resources for the juvenile to help them make better choices.
3. When other factors are responsible for, or play a role in the child's behavior, MOS will look for ways to effect positive change on them. Such things may include, parental influence, housing inadequacies, educational issues, social issues, mental health concerns, etc.
4. If issues are identified that are outside the scope of the MOS's ability to handle them, MOS are to refer the child/family to CYFD's Statewide Central Intake as a Family In Need of Services.
5. In cases of suspected abuse or neglect, MOS will appropriately document the incident and call in a report to the Statewide Central Intake.

B. Enforcement

1. At times it will be necessary to take enforcement action against a juvenile based on probable cause and other circumstances surrounding Law Enforcement contact. Due to the possibility that Juvenile Probation and Parole may have pertinent history with the juvenile in question, it is important to contact them for charging guidance. The MOS should be aware that there are several avenues they can take.
 - a. Outright release with no further action taken.
 - b. Issuance of a citation or criminal summons depending on severity of charge. (SOP IX-1-5).
 - c. Referral to juvenile court through forwarding of Offense Incident to JPPO.
 - d. Custodial Arrest with permission of JPPO

C. Outreach

1. Whenever possible, MOS will assist in community enrichment programs aimed at reducing juvenile delinquency. Such programs may include, but are not limited to:
 - a. RRPD Cop Camp
 - b. RRPS / RRPD High School Criminology Classes
 - c. RRPD Explorers Post 911
 - d. RRPS sports events overtime



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JUVENILE DELINQUENCY PREVENTION

- e. RRPD School Resource Officer Events
 - f. Other community outreach events that allow for positive interaction between MOS and our community 's youth.
- D. This procedure is to be used in conjunction with the Department rules and regulations and other relevant policies and procedures.



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Section: 3
Chapter: 5
Article: 1

MINIMUM TRAINING STANDARDS

GENERAL STANDARD

The Department recognizes that training is one of its most important responsibilities. The department realizes that a process of continual training and updating is necessary in order to maintain a high level of professionalism. All aspects of training, whether recruit training, specialized training, in-service training or training conducted at department meetings, are designed to enhance an employee's ability to perform the functions demanded in police work in today's society.

STANDARDS AND PROCEDURES

- A. The purpose of training is to provide police officers with supplemental training on advances, changes, and improvements in the law enforcement profession. This training will also address requisite training prior to reassignment, assignment to specialty duties, promotion, or as needed.
- B. The Training Section shall ensure that required training is available for each MOS, and said training is conducted, approved, or sanctioned by the agency responsible for that specific area of knowledge. The following is a listing of minimum training standards and corresponding responsible agencies:
 1. In-Service training requirements for Police Officers are reviewed biannually. Due to potential changing requirements, Department policy will adhere to the elements set forth in New Mexico Administrative Code 10.29.7.8.
 2. The Training Section will document and maintain records that will be kept on file for all job-related training received by agency personnel, to include but not limited to:
 - a. The title of the training received.
 - b. The date and hours of attendance.
 - c. The identification of trainers or agencies presenting the course.
 - d. The names of all agency personnel receiving the training.
- C. All Department personnel are required to attend in-service, advanced, task specific or any other approved training and adhere to attendance requirements of that training. Supervisors are required to attend the same in-service training day as their assigned personnel. All personnel shall:
 1. Attend the scheduled training and participate to the best of their ability. Failure to satisfactorily complete the training or class due to negligence by the employee may result in corrective or disciplinary action.
 2. For training conducted outside the Department, attendance will be documented by certificate of completion which should be forwarded to the Training Section within ten (10) days of the completion date of the program or travel. For training conducted by the Department, attendees will confirm attendance by signing the provided attendance roster.
 3. Exceptions for attendance at scheduled training courses may be granted by the appropriate supervisor for good cause. The Training Section must be advised immediately of such excused absences. Personnel attending school will not be excused from their scheduled court dates without the authorization of the appropriate supervisor, court and the District Attorney's office.
- D. Personnel hired for Police Officer positions, shall be Law Enforcement Officer Certified by the New Mexico Law Enforcement Academy.
 1. MOS shall successfully complete Law Enforcement Officer Certification through an accredited curriculum recognized by the New Mexico Law Enforcement Academy prior to any routine assignment in any capacity in which the officer is allowed to carry a weapon and/or is in a position to make an arrest.
 - a. The accredited training shall meet the requirements of New Mexico Administrative Code 10.29.9.8.
- E. Communications Operators, within one year of hire, shall be Public Safety Telecommunicator certified by the New Mexico Law Enforcement Academy.
 1. The accredited training shall meet the requirements of New Mexico Administrative Code 10.29.10.8.
 2. In-Service training requirements for Public Safety Telecommunicators are reviewed biannually. Due to potential changing requirements, Department policy will adhere to the elements set forth in New Mexico Administrative Code 10.29.7.9.
- F. Specialized Unit Training
 1. The Training Section will assist any section or specialized unit in the design, development, and delivery of training, upon request. The Training Section will also assist in obtaining training quotas for external training and education.



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2. Within thirty days of reporting, or as otherwise specified by the affected Commander, specialized units must coordinate required training for recently assigned personnel. This includes, but is not limited to:
 - a. SWAT
 - b. K-9
 - c. Traffic
 - d. DWI
 - e. CNT
 - f. Gang Enforcement
 - g. SRO
 - h. ERT
 - i. FTO
 - j. Criminal Investigations (Detective and Field Investigator)
 3. Training for special unit personnel may include:
 - a. Knowledge, skills, abilities and readiness exercises, particular to the specialization.
 - b. Unique management, administration, supervision, personnel policies, and support services.
 - c. Department policies, procedures, rules and regulations.
 - d. Supervised on-the-job training.
 - e. Specific mandatory specialized training requirements are located in the Operations Manuals for those units.
- G. The Training Section shall establish and maintain a Field Training Program for training and evaluating new MOS or MOS in need of remedial training.
1. The Probationary Officer will be introduced to the Field Training Program following graduation from a Police Academy. Actual field training with an FTO will begin as soon as possible taking into account the Police Officer's need to have a full pay period. The Program will then continue for approximately fourteen (14) weeks. Lateral Police Officers may complete the program in less time, no less than six (6) weeks.
 2. The FTO program will consist of four (4) phases of training:
 - a. Phase I of the program is four (4) weeks in duration and is an introduction to public safety work. The first week will be a time during which the Field Training Officer helps the Probationary Officer adjust to the new requirements of work as a field patrol officer.
 - b. Phase II of the program is four (4) weeks in duration; the Probationary Officer is expected to be more active in sharing the duties and responsibilities of a patrol officer while receiving clear guidance from the FTO. The Probationary Officer will be responsible for applying skills learned in the academy by either demonstrating such skills in the field or through verbal and/or written testing.
 - c. Phase III of the program is four (4) weeks in duration; the Probationary Officer is expected to be prepared for a single person patrol unit. The Probationary Officer is to assume the majority of the workload and, by the end of this period, demonstrate the capability of performing as a police officer.
 - d. Specialty Phase of the program, the probationary officer has shown that they should be released from Field Training status. They are to report for a minimum of two (2) weeks of specialty training. Probationary officers should receive training from the Criminal Investigations Unit, Traffic Unit to include DWI and any other training as designated by the Chief of Police.
 - e. If necessary the Police Officer may be reassigned to an FTO for remedial training. In the event of remedial training that is not covered during that phase of training additional weeks of training can be added to the Field Training Program when necessary.

H. Civilian Personnel Training

1. All non-sworn personnel shall be directed to attend training as specified by the city Human Resources Department.
 - a. Human Resources identifies the civilian positions for which pre-service and in-service training are required, and the position within the organization responsible for planning, conducting, and/or documenting such training.



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MINIMUM TRAINING STANDARDS

2. All newly appointed non-sworn personnel shall receive information regarding:
 - a. Human Resources identifies the civilian positions for which pre-service and in-service training are required, and the position within the organization responsible for planning, conducting, and/or documenting such training.
 - b. All newly appointed non-sworn personnel shall receive information regarding:
 - c. The role, purpose, goals, policies, and procedures of the Rio Rancho Police Department.
 - d. Working conditions and regulations, and responsibilities and rights of employees.
- I. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

TRAINING REQUESTS

Section: 3
Chapter: 5
Article: 2

GENERAL STANDARD

The Department encourages and supports related professional education and training. The Training Division shall maintain documentation of approved and completed training and educational courses.

STANDARDS AND PROCEDURES

A. MOS interested in attending any related training course shall complete a Training Request Form at least one month prior to the course, unless extenuating circumstances exist.

1. MOS shall forward the completed form to their immediate supervisor, who shall approve or disapprove the request.
2. The approved or disapproved request shall be forwarded through the chain of command as indicated on the Training Request Form. The training request shall be reviewed based on the needs and capabilities of the Department, up-coming training programs or opportunities, and the training budget. The request may be approved or denied at any level, and may be based on the following:
 - a. Whether or not the requested training relates to the MOS's current assignment,
 - b. Whether or not approving the request will compromise minimum staffing levels,
 - c. Whether or not the requested training relates to the MOS's career path for future assignments or responsibilities,
 - d. Whether or not the MOS submitted the request far enough in advance to facilitate making necessary registration, lodging and travel arrangements, and
 - e. Whether or not the requested training meets the needs of the Department in fulfilling its mission.

3. All out-of-state training requests shall be forwarded to the Director's office.

B. Training Request Dispositions

1. If disapproved, the training coordinator shall notify the requesting MOS, and file the form in the MOS's course request folder.
2. If approved, the training coordinator shall notify the requesting MOS through their first line supervisor.
 - a. The training coordinator shall then obtain the appropriate purchase orders for tuition and materials, if needed, and enroll the MOS in the course.
 - b. If the course involves significant travel or lodging accommodations, the MOS and training coordinator shall work together to see that satisfactory arrangements are secured such as per diem, travel and overnight accommodations.
 - c. If the MOS is unable to attend the course, the supervisor and training coordinator shall be notified as soon as possible, so arrangements can be made to cancel the registration or assign a substitute.
3. Once the course is completed, MOS may be required to submit a summary of the course contents.

C. Upon completion of a training course, MOS shall forward a copy of the certificate if they receive one.

D. Educational Requests

1. Supervisors may authorize work schedule changes for up to 10% of the MOS in their command for purposes of attending higher educational programs.
2. Supervisors shall work in conjunction with each other for purposes of moving MOS as needed, and to verify that the 10% limit is not exceeded.
3. MOS attending higher educational programs and not requiring work schedule changes shall not be counted as part of the 10% limitation.
4. MOS requesting consideration under this policy shall:
 - a. Request it in writing, listing the name of institution, the course of study, and the proposed course schedule.
 - b. Maintain satisfactory job performance.
 - c. Work with the court staff regarding court dates.
5. Supervisors shall grant these requests based upon job performance, job attendance and the needs of the Department.



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E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

USE OF FORCE TRAINING

Section: 3
Chapter: 5
Article: 3

GENERAL STANDARD

This Department recognizes and respects the value and importance of each human life. Therefore, officers shall be trained and evaluated to maintain a reasonable level of proficiency in use of force.

STANDARDS AND PROCEDURES

A. Firearms

1. Department firearm instructors shall be certified by the New Mexico Law Enforcement Academy (NMLEA).
 - a. Instructors shall adhere to standard lesson plans established by the NMLEA.
 - b. Where a standard has not been established, lesson plans shall be submitted by the instructor and approved by the NMLEA.
2. All police officers shall complete the New Mexico Law Enforcement Academy standards for biennium firearm's training. Failure to do so may result in the officer losing their Peace Officer certification. The course shall include:
 - a. Legal issues,
 - b. Department Policy, and
 - c. Update on fundamentals and techniques of shooting.
3. Police officers shall qualify with firearms on a day and night course annually. Whenever feasible, qualifications shall be scheduled semi-annually.
4. Police officers shall attain a minimum qualifying score for each firearm authorized.
 - a. Officers failing to attain the minimum qualifying score on the first attempt shall be afforded one additional attempt immediately. Officers failing to attain the minimum qualifying score on the second attempt shall receive remedial training in shooting fundamentals and techniques. Prior to conducting the remedial training, the firearms instructor providing the remedial training will conduct an assessment to determine what error(s) the shooter is making. Once identified, the instructor will provide remedial training to correct the shooting error(s). The instructor will provide written documentation identifying the shooting errors discovered and what training was provided to the officer. A copy of the documentation will be placed in the officers training folder, another copy provided to the officers supervisor, and a third copy provided to the firearms coordinator.
 - b. After remedial training is provided, the officer will be afforded the opportunity of a third attempt. Should the officer fail the third attempt, the firearms coordinator shall immediately notify the officers' supervisor and the Chief of Police. The Chief of Police may immediately relieve the officer of all law enforcement duties. Subsequent written notice from the Chief of Police shall include:
 - 1) The date and time,
 - 2) The course of fire failed,
 - 3) The officers' scores,
 - 4) The names of all firearms instructors involved in training and qualification attempts,
 - 5) A summary of the remedial training provided,
 - 6) Notice of suspension from law enforcement duties,
 - 7) Proposed steps for remedial training and re-qualification,
 - 8) The establishment of a performance improvement plan, and
 - 9) Advisement of possible disciplinary actions.
 - c. When relieved of duty, the Chief of Police, or his/her designee, should take possession of the officers' weapons, badges, vehicle keys, and commission card; and notify the officers' first line supervisor.
 - d. Whenever feasible, the officer shall be scheduled for remedial training and re-qualification within forty-eight hours of receiving notice relieving the officer from law enforcement duties. The training session shall be a minimum of eight hours and will be followed by day and night qualification attempts. Should the officer fail one of the qualifications, a second attempt at that qualification shall be afforded. If the officer fails the second attempt, a third attempt is not authorized and the officers' supervisor, the firearms coordinator and the Chief of Police



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shall immediately be notified. In such an instance, a comprehensive retraining program will be established by the firearms coordinator if the officer is to be retained.

B. Less Lethal Force (LLF)

1. Instructors of LLF shall be certified through a course of instruction recognized by the NMLEA.
 - a. Instructors shall adhere to standard lesson plans recognized by the NMLEA.
 - b. Where a standard has not been established, lesson plans shall be submitted by the instructor and approved by the NMLEA.
2. Designated officers shall receive refresher training and evaluation annually with all approved LLF.
3. LLF weaponry and tactics, which require proficiency training and evaluation shall include:
 - a. Baton(s),
 - b. OC Spray,
 - c. Tasers,
 - d. Approved special weapons as assigned,
 - e. Empty-handed defensive tactics, and
 - f. Less than lethal shotguns,
 - 1) A qualification course for less than lethal shotguns will be administered by a LLF instructor.
 - 2) No "lethal" shotgun rounds will be used in a LLF shotgun during training and qualifications.
 - 3) A target which depicts or simulates the proper aiming points for a LLF shotgun will be used.
 - 4) Officers shall not be trained or shoot qualification courses with a LLF shotgun that requires the officer to aim "high center of mass."

C. Use of Force Training and Policy Review

1. Police officers shall be trained and evaluated in the use of force prior to being authorized to carrying a firearm and assuming field duties, when:
 - a. Newly hired by the Department,
 - b. Returning from extended leave, or
 - c. Illness or injury has affected the officer's ability or proficiency.
 2. Police officers shall review relevant use of force policies when:
 - a. Qualifying with firearms,
 - b. Training in LLF, and
 - c. Assigned by a supervisor.
 3. Department shall train officers regarding the prohibition of warning shots.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

INSTRUCTORS

Section: 3
Chapter: 5
Article: 4

GENERAL STANDARD

The Training Division and Department instructors shall provide quality, effective, and efficient training programs.

STANDARDS AND PROCEDURES

- A. The Training Division shall coordinate training and certification of instructors to provide necessary training for the Department's MOS.
 1. Assignment as an instructor shall be based upon an MOS's qualifications.
 2. The Training Division shall assist the MOS in attaining the appropriate instructor certifications.
 3. MOS may be removed as an instructor based on performance, needs of the Department or other considerations.
- B. Instructors shall:
 1. Communicate with the training coordinator to schedule courses.
 2. Ensure training curriculum is submitted to the training coordinator for approval before scheduling the course.
 3. Gain approval from the Chief of Police to instruct outside the Department.
 - a. Based upon the needs of the Department, outside instruction may be denied.
 4. Ensure curriculum and course objectives are met by:
 - a. Course time management,
 - b. Use of audio/visual equipment,
 - c. Teaching methodology, and
 - d. Testing procedures, if applicable.
 5. Fully document each course and submit to the training coordinator a file for permanent records. This file shall include:
 - a. Course outline,
 - b. Course objectives,
 - c. Course curriculum, and
 - d. Attendance records.
 6. Be responsible for their course and its management.
- C. It is the instructor's responsibility to maintain instructor credentials.
- D. The Training Division shall establish and maintain a Field Training Program for training and evaluating new MOS or MOS in need of remedial training.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

TRAINING FACILITIES

Section: 3
Chapter: 5
Article: 5

GENERAL STANDARD

The Department maintains training facilities to provide MOS with appropriate and convenient training. Training facilities may be made available to outside agencies when not used by the Department.

STANDARDS AND PROCEDURES

- A. The use of training facilities shall be scheduled through the Training Division.
- B. Permission to use the training facilities shall be granted according to the following priorities:
 1. Department needs.
 2. Department Reserves.
 3. City departments.
 4. Other agencies.
- C. The Department assumes no liability for the use of these facilities.
- D. The facilities shall not be abused in any way, and shall be left neat, clean and ready for use.
 1. Any violation of this procedure shall subject an entity to possible charges for cleaning and/or repair, and
 2. An entity may lose its privileges in the use of these facilities.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

RECRUITMENT

Section: 3
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GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to identify, recruit, select, and assign the highest caliber of personnel available in a manner that is equitable, nondiscriminatory, and consistent with state and federal statutes, City policy, and Equal Employment Opportunity guidelines.

RECRUITMENT VISION AND MISSION STATEMENTS

Vision: To be a proficient and professional recruitment section acting with enthusiasm and integrity. To assist the Rio Rancho Police Department in its commitment to maintain an organization which promotes public confidence in the integrity, efficiency, and professional excellence expected of the MOS. To actively seek and encourage the most qualified individuals to apply for positions within this Department who reflect this commitment, in addition to the diverse cultural, gender, and ethnic backgrounds of all citizens of the City of Rio Rancho and the general metropolitan area.

Mission: To develop and implement strategies and procedures which enable us to continue to attract the best caliber of individuals for the Rio Rancho Police Department.

STANDARDS AND PROCEDURES

A. General Recruitment Activities

1. Recruitment activities shall include, but are not limited to:
 - a. Contacting and cultivating working relationships with career/guidance counselors at colleges and high schools.
 - b. Conducting career presentations.
 - c. Contacting career planning officers at institutions of higher learning on an annual basis to promote law enforcement:
 1. As a professional career choice.
 2. Opportunities for assignment to a variety of specialized positions.
 3. Opportunities for advancement.
 4. Cultivating liaisons with prospective applicants and establishing an applicant support system.
 5. Participating in or initiating career programs.
 6. Scheduling and conducting interview sessions with potential applicants.
 7. Scheduling the Mobile Recruitment Vehicle to travel to community locations, colleges and universities.

B. Cadet Recruitment Activities

1. Recruiters shall:
 - a. Provide a realistic overview and accurate information of law enforcement as a career so that applicants can make an informed decision regarding a future in law enforcement.
 - b. Identify and address specific questions, issues, and concerns of potential applicants.
 - c. Present information regarding:
2. Opportunities to serve the City of Rio Rancho.
 - a. Salary and benefits.
 - b. Promotional opportunities.
 - c. Job security.
 - d. Career Development and mobility within the Department.
 - e. Academy training and Department expectations.
 - f. Contact local reserve centers, armed forces recruiters, veterans' organizations, and various military installations located within a reasonable distance of the City of Rio Rancho.



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3. Maintain contact with:
 - a. Community leaders.
 - b. Civic organizations.
 - c. Department personnel.
 - d. Community centers.
 - e. Religious leaders.
 - f. Other high visibility locations
 4. Attend community events within the great diversity of ethnic and cultural settings representative of the City of Rio Rancho's population.
 5. Notify Human Resources of job opportunities within the Department. This will facilitate the dispersal of information to members of their communities and organizations.
 6. Post job announcements, in both English and Spanish, at designated locations.
 7. Initiate contact with referred persons to provide information concerning job requirements, responsibilities, benefits, and the selection process.
 8. Keep applicants updated regarding the application and selection processes.
 9. Periodically meet with recruiters from other law enforcement agencies to exchange ideas and information.
 10. Utilize tools and materials, such as the Mobile Recruitment Vehicle, PowerPoint Presentations, videos, photographs, and posters when canvassing for prospective applicants at:
 - a. Career and job fairs.
 - b. Job centers.
 - c. Historical, annual or ethnic events.
 - d. Police activity exhibits at parks, institutions of higher education, shopping centers/malls, etc.
 11. Provide updated recruiting literature.
 12. Provide updated recruitment information on Department's website and social media outlets.
- C. Equal Employment Opportunity
1. The Rio Rancho Police Department shall ensure that no person be refused employment, given preference, or otherwise discriminated against because of race, sex, age, religion, ethnicity, national origin, disability, disabled veterans, or sexual orientation, unless such action is consistent with applicable federal, state or local law.
 - a. This policy relates to all phases of employment, including but not limited to advertising, recruiting, employment, placement, promotion, transfer, leave of absence, termination, rate of pay, selection for training, use of facilities, vacation, and holidays.
 - b. Equal Employment Opportunity also applies to those with physical disabilities. Physical disabilities are disregarded unless those disabilities prevent the performance of the primary essential functions of the position
 - D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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SERVING SINCE 1981

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STANDARDS AND PROCEDURES

PURCHASING

Section: 3
Chapter: 6
Article: 2

GENERAL STANDARD

MOS shall comply with the State Purchase Act and shall only purchase goods and/or services within the guidelines and ordinances established by the City.

STANDARDS AND PROCEDURES

- A. All appropriate Department forms and other supplemental material shall be fully completed and turned in to the Department's purchasing agent when requesting any procurement.
- B. All goods and services purchased shall be issued a Requisition and Purchase order before said goods and services can be purchased, unless it is:
 1. A petty cash purchase (under \$50.00), or
 2. An emergency purchase, and the following information shall be obtained and forwarded to the Department's purchasing agent as soon as possible:
 - a. The contractor(s) name and address,
 - b. The amount and term of the contract,
 - c. A listing of the services/property procured, and
 - d. The justification for the emergency procurement.
- C. Purchases under \$250.00 may be procured with the Small Purchases Order Book, maintained by the Department's purchasing agent.
- D. Competitive Bid Requirement
 1. Procurement under \$500.00 does not require a competitive bid.
 2. Procurement over \$500.00 but under \$3,000.00 requires three telephone bids, unless otherwise authorized.
 3. Procurement over \$3,000.00 but under \$5,000.00 requires three written bids, unless otherwise authorized.
 4. Procurement over \$5,000.00 requires a notice to be published in the local newspaper, unless otherwise authorized.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant polices and procedures.



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STANDARDS AND PROCEDURES

Section: 3
Chapter: 6
Article: 3

COMPENSATORY TIME PAYOUT REQUEST

GENERAL STANDARD

MOS may request to have their compensatory time balance paid by the City when specific criteria have been met. The City and the Department shall evaluate all requests for payment, and issue payments, equitably.

STANDARDS AND PROCEDURES

A. Submitting Requests

1. MOS who desire to have the balance of their compensatory time paid shall submit a written request between April 1 and April 15 of each year to the Chief of Police through the chain of command.
2. The memo shall include the MOS's name, employee number and the number hours the MOS requests to have paid.

B. Evaluation Criteria

1. The Department shall evaluate all requests and determine the budget sufficiency to make payments.
2. In priority order, the Department shall either:
 - a. Pay all of the requests when there are available funds,
 - b. Pay an equal portion (number of hours) of each request, when there are available funds but insufficient funds to pay all of the requests, or
 - c. Pay none of the requests when there are insufficient available funds.

C. Request Approval Process

1. The compensatory payout request shall either be approved or denied based on the established evaluation criteria.
2. If approved by the DPS Chief of Police, the Manager shall forward the request to the Finance Director to determine the City budget sufficiency.
3. If approved by the Finance Director, the request shall be forwarded to the City Administrator for final action.

D. Exceptions

1. MOS may submit requests for emergency compensatory payout at any time.
 - a. An emergency shall be defined as a situation in which the MOS or a family member is experiencing some type of medical condition, or other catastrophic event, that could be considered life threatening or significantly debilitating, or otherwise places an extreme financial burden on the MOS through no fault of his own.
 - b. The illness or injury must be certified by a doctor, and the documentation must include the nature of the condition.
 - c. Catastrophic events shall be subject to verification.
2. These situations shall be evaluated on a case-by-case basis to determine the emergency necessity.
3. If there appears to be a valid emergency exception, the Chief of Police may approve the request.
4. The request shall be subject to approval through the established request approval process.

E. This Procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

DEPARTMENT INSPECTIONS

Section: 4
Chapter: 1
Article: 1

GENERAL STANDARD

The Department shall conduct periodic inspections to assess its efficiency and effectiveness. Inspections provide a means to evaluate the quality of the Department's operations; ensure that the Department's goals are being pursued and met; verify that equipment, materials, evidence and property are properly stored or maintained; and identify Department needs.

STANDARDS AND PROCEDURES

- A. Inspections shall consist of two types, either line or staff, based on their frequency and purpose.
 1. A line inspection is conducted by supervisors within the chain of command who are responsible for the MOS, facilities, procedures, or other items being inspected.
 2. Staff inspections are conducted by MOS who generally are not responsible for the MOS, facilities, procedures, or other items being inspected. Staff inspectors are appointed by the Chief, and the results of their inspections shall be reported to the Chief.
- B. Line inspections shall be conducted by first-line and mid-level supervisors to:
 1. Ensure that MOS are adhering to standard operating procedures.
 2. Determine that equipment and supplies are being maintained and utilized properly.
 3. Evaluate the performance of the individual MOS and the unit.
 4. Maintain consistency in appearance of the MOS, uniforms, equipment and vehicles.
 5. Be fair, promote exemplary performance, and to maintain compliance within standards.
 6. Report findings and recommendations for consideration by the Department administration.
- C. Staff Inspections are established under the authority of the Chief and shall be conducted to:
 1. Provide an in-depth examination of particular functions or components of the Department.
 2. Compare the Department's formal expectations with actual performance.
 3. Ensure quality control in application of procedure.
 4. Identify the need for changes in policy or procedure.
 5. Promote esprit de corps.
 6. Establish and maintain an accurate inventory of Department equipment and property.
- D. Additional criteria for inspecting MOS and equipment not specifically addressed in this procedure may be established within a bureau, division, section, unit/squad or detail.
- E. Law Enforcement Bureau
 1. Line-inspections shall include the following:
 - a. Personal appearance and grooming, weapons, and vehicles.
 - b. Adherence to Department policies, procedures, rules, and regulations in daily activities.
 - c. All reports, citations, and other written materials.
 - d. Status and condition of physical facilities.
 - e. Use and maintenance of issued equipment and Department property.
 2. First-line supervisors shall conduct weekly inspections of on-duty MOS to ensure:
 - a. Weapons, mace, batons, and handcuffs are clean and have no obvious malfunction.
 - b. Assigned vehicles are clean, orderly, functional, and do not contain unauthorized equipment. The following items shall be inspected:



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1) Safety equipment,

2) Lights and siren, and

3) Tires.

3. First-line supervisors shall conduct daily inspections of on-duty MOS to ensure:

- a. The MOS's uniform or non-uniformed attire and appearance meet Department standards, and
- b. That the MOS is wearing issued body armor in accordance with Department procedure.

F. Supervisors shall take appropriate corrective action on substandard conditions or procedural violations discovered during line inspections.

G. Department Annual Staff Inspection

1. A Department annual inspection may be held once a year at the discretion of the Chief.

2. The Chief and/or his designees shall conduct or coordinate the inspection, which may include checking for cleanliness, condition and maintenance of the following:

- a. All sworn and non-sworn MOS appearance, grooming, uniform and issued equipment,
- b. All issued or assigned Department vehicles, Fire and EMS apparatus, and special use vehicles,
- c. All Department facilities, to include offices, storerooms, meeting rooms, bathrooms, etc.,
- d. Training files, records, evidence room, annual evaluation files, C.I. files, N.C.I.C. files, S.O.P. Manual, vehicle maintenance files, and other records and files maintained by the Department in its daily operations.

3. Violations discovered during annual staff inspections shall be documented and a report forwarded to the appropriate personnel for corrective action. A final report documenting all the corrective action shall be forwarded to the Chief.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

UNIFORMS & INSIGNIAS – UNIFORMED MOS

Section: 4
Chapter: 1
Article: 2

GENERAL STANDARD

To ensure standardization and uniformity in appearance, certain positions within the Department require that the officers wear an official uniform when performing their duties; therefore, officers shall wear uniforms or equipment approved for use by the Department. Uniformed MOS will wear only those uniforms, accessories and equipment as authorized by department policy and do so in the manner prescribed.

Every sworn member shall possess, at all times, a complete Class A and Class B uniform and associated equipment, as outlined in this policy, for his or her duty as a law enforcement officer. The rank of Lieutenant and above shall maintain a Command Dress uniform in addition to the Class A and Class B uniform.

STANDARDS AND PROCEDURES

Uniforms

A. Police Class A Uniform:

1. Dark navy blue long sleeve uniform shirt,
2. Dark navy blue tie,
3. Department issued unit service pins, medals and ribbons displayed on the uniform shirt,
4. Dark navy uniform trousers,
5. Duty belt,
6. Black boots or shoes with a high gloss,
7. Dark navy blue eight-point police hat,
8. White cotton gloves shall be worn for memorial or funeral services as authorized by the Chief of Police.

B. Police Class B Uniform:

1. Dark navy blue short or long-sleeved uniform shirt,
2. Black crew-neck tee shirt shall be worn under the uniform shirt,
3. Dark navy uniform trousers, Optional hidden cargo pocket,
4. Duty belt,
5. Black boots with a polished toe,
6. Optional unit service pins as outlined in section T,
7. Medals or ribbons shall not be worn on the Class B uniform.
8. Optional – Dark Navy Blue external vest carrier with matching undershirt.

C. Police Command Dress Uniform:

1. Dark navy dress uniform jacket with Department shoulder patches,
2. Department issued badge, name plate, unit service pins, medals and ribbons displayed on the jacket,
3. White long sleeve uniform shirt,
4. Dark navy blue tie,
5. Dark navy uniform trousers,
6. Dark navy blue eight-point police hat,
7. White cotton gloves shall be worn for memorial or funeral services.



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D. Police Motors Class A Uniform:

1. Dark navy blue long sleeve uniform shirt,
2. White ascot tie,
3. White braided shoulder cord worn on the gun side,
4. Department issued unit service pins, medals and ribbons displayed on the uniform shirt,
5. Dark navy motor trousers with white stripe along the outer seam,
6. Duty belt,
7. Black motor boots with a high gloss,
8. Dark navy blue eight-point police hat,
9. White cotton gloves shall be worn for memorial or funeral services as authorized by the Chief of Police.

E. Police Motors Class B Uniform:

1. Dark navy blue short or long-sleeved uniform shirt,
2. Black crew-neck tee shirt shall be worn under the uniform shirt,
3. Dark navy motor trousers with white stripes along the outer seam,
4. Duty belt,
5. Black motor boots with a polished toe,
6. Optional unit service pins as outlined in subsection T,
7. Medals or ribbons shall not be worn on the Class B uniform.
8. Alternative – Dark Navy Blue external vest carrier with matching undershirt.

F. Honor Guard Uniform:

1. Dark navy blue honor guard jacket
2. White braided shoulder cord with light blue trim worn on the right shoulder,
3. Department issued unit service pins, medals and ribbons displayed on the uniform shirt,
4. Smooth glossy polished leather or Corfam duty belt worn over the honor guard jacket,
5. Dark navy motor trousers with light blue stripe along the outer seam,
6. Low quarter, military style, black shoes of smooth glossy polished leather or Corfam
7. Dark navy blue eight-point police hat or dark navy blue campaign hat,
8. White cotton gloves.

G. Alternate Honor Guard Uniform:

1. Dark navy blue long sleeve uniform shirt,
2. Blue ascot tie,
3. White braided shoulder cord with light blue trim worn on the right shoulder,
4. Department issued unit service pins, medals and ribbons displayed on the uniform shirt,



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5. Dark navy uniform trousers,
6. Duty belt,
7. Black boots with a high gloss,
8. Dark navy blue eight-point police hat,
9. White cotton gloves shall be worn for memorial or funeral services as authorized by the Chief of Police.

H. Police Cadet Class A Uniform:

1. Dark navy blue long sleeve uniform shirt without badge or patches,
2. Dark navy blue tie,
3. Dark navy uniform trousers,
4. Duty belt,
5. Black boots with a high gloss,
6. Dark navy blue eight-point police hat,
7. White cotton gloves shall be worn for academy graduation, memorial or funeral services as authorized by the Chief of Police.
8. Alternative police cadet uniforms may be mandated by regional police academy standards.

I. Public Service Aide Class A Uniform:

1. Light blue long sleeve uniform shirt,
2. Dark navy blue tie,
3. Department issued ribbons displayed on the uniform shirt,
4. Dark navy uniform trousers,
5. Duty belt,
6. Black boots with a high gloss,
7. White cotton gloves shall be worn for memorial or funeral services as authorized by the Chief of Police.

J. Public Service Aide Class B Uniform:

1. Light blue short or long-sleeved uniform shirt,
2. Black crew-neck tee shirt shall be worn under the uniform shirt,
3. Dark navy uniform trousers,
4. Duty belt,
5. Black boots with a polished toe,
6. Medals or ribbons shall not be worn on the Class B uniform.

K. Specialty Uniforms

1. Composition and configuration of specialty unit uniforms shall be reviewed by the specialty chain of command,
2. Proposed specialty uniforms shall be submitted to the uniform board for review,
3. The board shall review specialty uniform proposals and may make recommendations to the requesting unit consistent with current Department



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standards,

4. The board shall submit the specialty uniform proposal to the Chief of Police for final approval,
5. Specialty unit shoulder patches shall only be worn by active members.

UNIFORM ACCESSORIES AND EQUIPMENT

L. Headgear

1. The Eight-Point Police Hat:
 - a. Dark navy in color,
 - b. Captains and above shall have a gold band affixed to the front of the hat and embroidered gold leaves on the brim,
 - c. Lieutenants, sergeants and corporals shall have a gold band affixed to the front of the hat,
 - d. Officers shall have a silver band affixed to the front of the hat,
 - e. The issued hat badge will be worn affixed to the front of the crown.
2. Headgear for uniformed officers, other than the eight-point hat, may be worn at the discretion of the shift supervisor. Headgear authorized in this section shall not be authorized as daily uniform attire. Before approving headgear, the shift supervisor shall take into consideration the officer's assignment and weather conditions; there shall be a clear established need for approval. Headgear displaying symbols and or logos are prohibited. Balaclavas approved for extreme weather conditions shall not obscure the MOS's face while engaged in direct contact with citizens. The following approved headgear shall be dark navy blue or black in color.
 - a. Black knitted watch cap,
 - b. Dark navy baseball cap without insignia,
 - c. Black ear warmers,
 - d. Black Balaclava or,
 - e. Black head band without insignia for uniformed female MOS.
3. Motor officers are authorized to wear additional headgear to combat the elements while operating the police motorcycle. Baseball caps may also be authorized by the unit supervisor to maintain a groomed appearance after doffing the helmet. The baseball cap may adorn the motor wings insignia. The following approved items shall be black in color, and free of logos, or insignia except that the baseball cap may be embroidered with the motor wings insignia:
 - a. Head wrap,
 - b. Neck Gator,
 - c. Balaclava,
 - d. Baseball cap with motor wings insignia.

M. Ties shall be dark navy blue in color and clip-on or Velcro style.

N. Footwear, Boots or Shoes

1. Class A or Police Dress Uniform:
 - a. Low quarter, military style, black shoes of smooth glossy polished leather or Corfam material, with plain toes and laces. Soles shall not be more than $\frac{3}{4}$ of an inch in thickness. Heels shall not be more than 1" in height (measured from the sole). Shoes shall be clean and have no visible logos. Buttons, straps, or buckles are not permissible.
 - b. Boots may be worn instead of shoes with the Class A or dress uniform, provided that they are black in color, have a high gloss polish, and that the soles and heels are within specifications allowed for shoes. The portion of the boot from the toe, extending back to the heel, and up to the ankle shall be of smooth polished leather. The upper portion of the boot may be of a durable black material able to protect the ankle and lower calf.



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- c. Females may wear a dress style black shoe of smooth glossy polished leather or Corfam material, with plain toes. Soles shall not be more than $\frac{3}{4}$ of an inch in thickness. Heels shall not be more than $1\frac{1}{2}$ " in height (measured from the sole). Shoes shall be clean and have no visible logos. Buttons, straps, or buckles are not permissible.
 - d. Black socks shall be worn.
 - e. Black athletic shoes shall not be worn with the uniform.
2. Class B Uniform:
- a. Boots shall be worn instead of shoes for the Class B uniform. Boots shall be black in color and be polished. Soles shall not be more than $\frac{3}{4}$ of an inch in thickness. Heels shall not be more than 1" in height (measured from the sole). The portion of the boot from the toe, extending back to the heel, and up to the ankle shall be of smooth polished leather. The upper portion of the boot may be of a durable black material able to protect the ankle and lower calf.
 - b. Black socks shall be worn if any part should become visible during the normal course of duty.
 - c. Pants shall not be tucked into boots. Boots shall be clean, have no visible logos and able to take a shine.
 - d. Black athletic shoes shall not be worn with the uniform.
- O. Gloves may be worn during the performance of police duties. The use of gloves is limited to those that do not hamper the flexibility of the fingers or the ability to perform police duties. Unless specifically approved for an officer based on their assignment, such as SWAT, Motors, Bicycle Patrol, or ATV, gloves with reinforced knuckles (e.g., carbon, lead, plastic hard-shell, or other similar materials) designed to harden the area of the knuckles are prohibited.
- 1. Gloves worn by uniformed officers will be plain black and constructed of leather, cloth, or neoprene.
 - 2. Athletic gloves, gloves displaying logos, and gloves without fingers or with mesh material on top are not authorized.
- P. Jackets or Coats,
- 1. A dark navy blue or black, police designed, uniform jacket may be worn.
 - 2. Police uniform jackets or coats shall be of industry standard material or leather. Jacket material shall not be fleece, or consist of any other material inconsistent with the industry standards for police uniform jackets.
 - 3. Jacket or coats shall not have hoods unless it can be removed from or stowed inside the garment.
 - 4. A cloth or metal breast badge and shoulder patches shall be displayed on the outermost garment.
 - 5. The color of cloth badges and shoulder patches shall be consistent with the officer's rank.
- Q. Duty Gear
- 1. All duty gear shall be black basket weave leather, thermo-plastic or composite Kydex. Plain finish pouches may be authorized when basket weave is not available for the accessory. Nylon pouches shall not be a substitute for a basket weave pouch on the duty belt. The duty belt shall be $2\frac{1}{4}$ " black basket weave and shall be worn with the following gear:
 - a. Black basket weave leather, thermo-plastic or composite Kydex firearm holster that has at least a threat level II retention rating.
 - b. Black basket weave handcuff holder or case,
 - c. Black basket weave multiple magazine holder,
 - d. Black basket weave holster to carry a collapsible baton,
 - e. Black basket weave OC spray holder or Taser and holster,
 - f. Black basket weave tourniquet holder, and
 - g. Radio Clip or holder.
 - h. Under belts shall be plain black or basket weave.



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2. The following accessories may be worn with the duty belt:
 - a. Black flashlight holder,
 - b. Black basket weave digital recorder case,
 - c. Black basket weave EMT or IFAK accessory holder.
 - d. One additional black basket weave handcuff case or holder, and or
 - e. One additional black basket weave magazine holder.

R. Badges and Insignia

1. A Department issued breast badge shall be worn on the uniform shirt over the left breast pocket.
2. A gold tone name plate no larger than 3/8" of an inch in height and 2 1/2" inches in length with the MOS's first name initial and last name printed in black. The nameplate shall be centered and aligned with the bottom row of stitching on the upper right breast pocket flap.
3. A "serving since bar" indicating the MOS's length of service with the Department may be worn. The bar shall be attached to the bottom of the name tag.
4. An American Flag pin may be worn in lieu of award ribbons except when MOS are in a Class A uniform. The flag pin shall be no larger than 3/8" of an inch in height and 2 1/2" inches in length. The pin shall be worn directly above the nameplate on the upper right portion of the uniform shirt and shall be centered with the nameplate.

5. Collar Insignias

- a. Lieutenants shall wear 3/4" gold tone single lieutenant bars on both wings of the uniform shirt collar. The front edge of the bar shall be aligned along, and parallel with, the collar stitching on the front edge of the collar and centered between the top and bottom edges of the collar.
 - b. Captains shall wear 3/4" gold tone double captain bars on both wings of the uniform shirt collar. The front edge of the insignia shall be aligned along, and parallel with, the collar stitching on the front edge of the collar and centered between the top and bottom edges of the collar.
 - c. Deputy Chiefs shall wear three gold tone stars on both wings of the uniform shirt collar. The stars shall be centered between the top and bottom edges of the collar.
 - d. The Chief of Police shall wear four gold tone stars on each wing of the uniform shirt collar. The stars shall be centered between the top and bottom edges of the collar.
6. The Chief of Police may approve the temporary wearing of a non-issued memorial or special event pin.
 - a. Officers requesting a temporary non-issued memorial or special event pin shall submit their request in writing to the Chief of Police.
 - b. The request shall include and end date for when the pin shall be removed from the uniform.
 - c. As a general standard, temporary pins should not exceed 30 days without special circumstance.

S. Patches

1. Shoulder patches
 - a. A triangular Department shoulder patch shall be placed 1/2" below the shoulder seam and centered on both sleeves.
 - b. The standard Department shoulder patch shall be worn on all uniform shirts and jackets.
 - c. MOS may wear a Department approved specialty shoulder patch on the right sleeve while they are assigned to a specialized unit. Specialty patches shall be removed once separated from the unit.
 - d. Shoulder patches shall have a silver border for rank of officer.
 - e. Shoulder patches shall have a gold border for the rank of corporal and above.
 - f. Specialty unit shoulder patches shall only be worn by active members.
 - g. Patches shall maintain the natural curve of the uniform and shall not be creased.



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2. Breast badge patches
 - a. Breast badge patches may be affixed to outer uniform garments when the metal breast badge is not practical.
 - b. Breast badge patches shall be silver for the rank of officer.
 - c. Breast badge patches shall be gold for the rank of corporal and above.
3. Chevron patches
 - a. Corporal and sergeant chevron patches shall be worn on all uniform shirts and jackets.
 - b. The space between the bottom of the shoulder patch and the top of the stripes shall be $\frac{3}{4}$ ".
4. Service bar or hash mark patches
 - a. Service bar/hash mark patches may be worn on the law enforcement long-sleeve uniform shirt indicating the officer's length of continuous service as a certified police officer.
 - b. One hash mark may be worn for each two-year period of completed service. The service bars, if worn, shall be positioned centered on the outer face of the left sleeve, beginning one inch above the cuff and proceeding up the sleeve.
 - c. If worn, hash marks shall not lag behind and will display current completed years of service.
 - d. Service bars shall consist of embroidered diagonal stripes, $1\frac{1}{4}$ -inch diagonal offset. They shall be silver in color with a navy-blue border for the rank of officer. Service bars shall be gold in color with a navy-blue border for the rank of corporal and above.
 - e. The Department may recognize time served with other agencies as a full-time, salaried law enforcement officer. Time served with agencies outside of the Rio Rancho Police Department may be subject to review and approval by the Chief of Police. This article is intended to recognize those officers who served with other municipal or state agencies. This article is not intended to include reserve officers, part-time law enforcement employment, public service aids, military police, federal officers, or correctional officers for continuous service consideration.
 - f. Since service bars are optional, officers will be responsible for the purchase and the cost of affixing them to the uniform shirt.
 - g. No more than 26 years of service shall be displayed on the uniform shirt.
- T. Department issued Medals, Award Ribbons, Years of Service Pins, and Unit Service Pins
 1. Uniformed MOS in formal settings, such as funerals or police ceremonies, may wear the Medal of Valor and Purple Shield medals on their Class A uniform. The medal shall be centered onto the right pocket flap below the nametag. If both medals are worn, the Medal of Valor shall be worn to the inside of the body and the Purple Shield to the outside.
 2. Uniformed MOS are authorized to wear up to six ribbons on the Class A uniform. The ribbons shall be worn no more than three across, two rows high, and centered $\frac{3}{8}$ " of an inch over and along the top of the right pocket.
 - a. The most important of the ribbons shall be worn in the highest row, towards the inside of the body. The least will be displayed in the lowest row, towards the outside of the body.
 - b. MOS who have received more than one ribbon, shall use a metal slider to present the awards in a proper and orderly manner.
 3. One ribbon may be worn on the Class B uniform. Multiple ribbons shall be reserved for Class A.
 4. The wearing of Years of Service pins or Unit Service pins are optional on the uniform.
 - a. Years of Service pins or Unit Service pin indicating the MOS's length of service may be worn of the Class A and Class B uniform,
 - b. Unit Service pins may be issued consistent with the standards and traditions of the unit.
 - c. A combination of no more than two pins of either type (Years of Service or Unit Service) are authorized to be worn on the class "A" uniform. Both shall be centered above the right breast pocket and spaced $\frac{3}{8}$ " of an inch over any award ribbon.
 - d. When worn in combination, the Unit Service pin shall be worn above the Years of Service pin.
 - e. One unit service pin or a years of service pin may be worn on the Class B uniform. The pin shall be centered $\frac{3}{8}$ of an inch above the right breast pocket.



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- f. Former members may wear the unit service pin if the MOS separated from the unit as a member in good standing.
- g. Medals, ribbons or pins, not issued by the Department shall not be worn on any Department uniform.

U. Command Dress Uniform; lieutenants and above may wear the command dress uniform for special occasions. It shall consist of:

- a. Police dress jacket
 - 1) Department shoulder patches,
 - 2) Approved metal breast badge,
 - 3) Name Plate
 - 4) A gold tone name plate no larger than 3/8" of an inch in height and 2 1/2" inches in length with the Officer's first name initial and last name printed in dark blue or black. The nameplate shall be centered and aligned with the stitching on the upper right breast pocket flap.
 - 5) Epaulette rank insignia
 - (a) Lieutenant – a single 1" bar shall be placed with the outer edge 3/4 inch inside the epaulette edge. The bar shall be centered on the epaulette and shall be parallel to the sleeve seam.
 - (b) Captain – two 1 "bars shall be placed with the outer edge 3/4 inch inside the epaulette edge. The bar shall be centered on the epaulette and shall be parallel to the sleeve seam.
 - (c) Deputy Chief – three stars shall be worn on each shoulder in such a manner that one point of each star points to the collar. The stars shall be centered on the epaulette.
 - (d) Chief of Police – four-star insignia worn by the Chief of Police shall be affixed in the same relative position as prescribed for deputy chiefs.
 - 6) Rank specific gold bullion sleeve braid
 - (a) 1 1/2" width – Chief and Deputy Chief
 - (b) 1" width – Captain and Lieutenant
- b. White command staff dress shirt adorned with all patches and insignia mandated for wear on the regular Department uniform shirt.
- c. Dark navy blue tie
- d. Dark navy blue trousers
- e. Medals, Award Ribbons and Specialty Pins shall follow guidelines specified in section T of this policy.

V. Mourning Bands

- 1. As a symbol of mourning and to personify the idealism of honor, dignity and a proud police tradition, mourning bands shall be worn to honor fallen officers.
 - a. The mourning band, solid black, shall be worn tight and straight across the center of the badge. Mourning bands with the thin blue line are not preferred,
 - b. The width of the band should not exceed 1/2 inch,
 - c. Mourning bands shall not display names, call signs, or any symbol.
- 2. Black mourning bands shall be worn on the law enforcement badge of all officers in uniform or those in civilian clothing while displaying a badge only in the following circumstances:
 - a. Upon the line of duty death of an active law enforcement officer of the Department. The mourning band should be worn for a period of thirty days from the date of death.
 - b. Upon the line of duty death of a law enforcement officer from a neighboring jurisdiction. The mourning band will be worn from the date of death and removed at the conclusion of the day of burial.



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- c. When attending the funeral of an active law enforcement officer. Upon the completion of the funeral, the mourning band shall be removed.
- d. The day of any police memorial service, wall or plaque dedication, which honors law enforcement officers who have died in the line of duty.
- e. National Peace Officers Memorial Day (May 15th).
- f. At the direction of the Chief of Police, when special circumstances dictate that a department display of official mourning is appropriate.

Wear and Care Guidelines

W. In order to maintain a consistent and unified appearance of uniformed personnel, the following wear and guidelines shall be adhered to.

1. Official police officer uniform of the Department shall:
 - a. Be worn by patrol officers while on-duty, unless it is impractical due to work assignment or as otherwise provided in this procedure.
 - b. Be kept clean, properly creased and in serviceable condition.
 - c. Be worn by investigators when ordered by their supervisors.
 - d. Be kept properly buttoned at all times when in public view.
 - e. Be presented as required for inspection and/or replacement.
 - f. Not be mixed or worn with other visible articles of civilian or unauthorized clothing.
 - 1) The uniform shall be worn in its entirety except when otherwise ordered by a supervisor.
 - 2) Department holster and firearms may be worn on or off-duty, but only in accordance with Department policy.
- g. Not be adorned with patches, awards, badges, buttons, or insignia, other than those authorized by the Department.
- h. Not be worn by any person other than a regular salaried commissioned officer of the Department.
- i. Not be worn while the police officer is off-duty except as otherwise provided in this procedure.
- j. Not have any articles protruding from the shirt pockets, with the exception of a writing pen, and
- k. Pens protruding from the pocket shall be black, silver or gold in color.
2. No personal items of clothing or equipment shall be substituted for authorized or issued items of the official uniform or equipment without the approval of the Chief of Police, or as otherwise authorized by policy.
3. Personal owned or issued items may be replaced pursuant to Department policy and the current collective bargaining agreement.
4. Uniforms and uniform items shall not be displayed as part of any advertisement or endorsement for product goods or services.

X. Maintaining Uniforms and Equipment

1. Officer Responsibility – Consistent with this policy, officers shall maintain their police uniform in order to maintain a consistent and unified appearance of uniformed personnel. Each officer is required to maintain his or her uniforms and equipment in a clean, serviceable condition, ready for immediate use. Items shall be replaced when they are noticeably worn, faded, damaged, present an unacceptable appearance or do not meet current specifications or safety requirements.
2. Supervisor Responsibility – Supervisors are responsible for monitoring the condition of uniforms and equipment daily and shall take appropriate action to correct any deficiencies. Periodic inspections will be conducted to ensure compliance with this policy and any other appropriate standard. Supervisors will be held accountable for the uniform standard of officers under their charge.
3. Department Responsibility – The department will monitor the uniform standard for all uniformed MOS. The Chief of Police shall retain the right to discontinue any given uniform, piece of equipment or accessory, should it be determined that a failure to maintain the uniform standard exists across the organization and the continued use would be contrary to the standards set forth in this policy.



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UNIFORMS & INSIGNIAS – UNIFORMED MOS

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Y. Police Uniform Board

1. Shall consist of at least five members
 - a. Chairperson
 - b. Command staff representative
 - c. First line supervisor representative
 - d. Department Quartermaster
 - e. Bargaining unit representative
 2. The Chief of Police or his designee shall select a Chairperson for the committee. The chairperson shall select board members when vacancies become available.
 3. The board will operate within the scope of the policy addressing special committees and boards, 3-2-1.
 4. The board shall meet at predetermined intervals, which shall be set by the chairperson.
 5. The board shall review all uniform changes, modifications and alterations on an as needed basis.
 6. The board shall make recommendations to the Chief of Police.
 7. The Chief of Police may remove board members.
- Z. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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DRESS CODE FOR NON-UNIFORMED MOS

Section: 4
Chapter: 1
Article: 3

GENERAL STANDARD

All non-uniformed MOS shall be dressed in a manner appropriate to their work assignment and in accordance with Department procedure while on-duty.

STANDARDS AND PROCEDURES

- A. The standard attire for male non-uniformed MOS shall consist of a dress shirt, casual button down shirt, a sweater, or a polo shirt with coordinating slacks, pants and footwear.
 1. A tie may be worn by MOS when wearing a dress shirt.
 2. A tie shall be worn by commissioned MOS ranking Lieutenant or higher when in public representing the department.
 3. Sweaters must have a crew neck, except that V-neck sweaters may be worn over a shirt, at which time a tie is optional.
 4. A Casual Button Down Shirt may be worn without a tie and untucked by sworn personnel below the rank of Lieutenant.
 - a. Length: Shirts should come past the top of the pants pockets, but not below the crotch area
 - b. Hem: Shirts shall have straight stepped hems or be slightly curved on the side
 5. Suits and sport coats may be worn.
 6. All attire shall be neat, pressed, clean and color coordinated.
- B. The standard attire for female non-uniformed MOS shall consist of a blouse, sweater, dress shirt or polo shirt with coordinating slacks, pants and footwear.
 1. Business suits and jackets may be worn.
 2. No sleeveless shirts, "spaghetti" strap blouses, midriffs or other inappropriate clothing shall be worn.
 3. Non-sworn personnel may wear skirts or dresses that are an appropriate length for the individual.
 4. All attire shall be neat, pressed, clean and color coordinated.
- C. The following items are not to be worn as standard attire by either male or female MOS.
 1. Denim "jeans,"
 2. Tee shirts,
 3. Sweatshirt,
 4. Shorts,
 5. Open-toed footwear, and
 6. Athletic shoes.
- D. The standard attire for non-uniformed MOS may be altered to include tee shirts, athletic shoes, shorts, sweatshirt or blue jeans in the following circumstances when appropriate and authorized by a lieutenant or higher.
 1. Firearms qualifications.
 2. Special assignments such as executing search warrants, undercover assignments, special interrogations etc.
 3. When MOS is called to respond while off-duty.
 4. Inter-Department training sessions.
- E. The standard attire for non-uniformed MOS may be altered to include denim jeans during designated "casual days" upon the approval of the unit supervisor and the Chief. Casual days shall not exceed more than four days per month per unit.
 1. Commissioned MOS ranking Lieutenant or higher may omit the tie on designated casual days.
- F. Jewelry worn by MOS shall be in moderation and appropriate to the individual's work assignment.



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- G. No clothing which displays insignias or wording, which could reflect unfavorably on the Department such as profanity, alcohol products, drugs, tobacco, etc. is acceptable except in undercover assignments.
- H. A supervisor, upon determining that the attire of a MOS is inappropriate, may direct that MOS to change the attire and may require the MOS to leave the work area until the change is made.
- I. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

COURT/HEARING APPEARANCE AND TESTIMONY

Section: 4
Chapter: 1
Article: 4

GENERAL STANDARD

MOS shall appear for court and hearings on time, properly attired and prepared to present testimony and evidence.

STANDARDS AND PROCEDURE

A. Notification of Appearance and Scheduling

1. MOS shall appear at the time and place as ordered by subpoena or other notice of appearance for court or hearings.
 - a. The posted court docket, Motor Vehicle Division hearing notices or verbal notification by court, the City Attorney's Office, or Department personnel is considered notice to appear.
 - b. MOS shall not attempt to evade service or notice of appearance.
 - c. MOS shall be punctual for court, hearings or related meetings.
2. Municipal traffic citation cases shall be scheduled by the MOS in accordance with the current guidelines as established by the municipal court.
3. MOS shall check posted municipal court dockets on a regular basis.
4. Additional MOS as Witnesses
 - a. In municipal cases, a court report shall be completed indicating any additional MOS who are needed as witnesses.
 - b. MOS who may be needed as witnesses shall be listed in the appropriate space on the offense/incident report.
 - c. MOS required as witnesses shall have the same responsibility for appearance as the arresting MOS.

B. Requests for Postponement

1. MOS should not postpone cases for insignificant reasons.
2. When requesting a postponement, MOS shall complete the proper form indicating their unavailability for appearance. In emergency circumstances, an attempt to contact the appropriate court should be made. If unable to contact the court, the MOS will contact their supervisor and the supervisor will contact the court as soon as possible.
 - a. The form shall be submitted for requests, to include, but not be limited to, vacations, compensatory time off, training, illnesses and subpoenas from a higher court.
 - b. Except in emergency cases, the form shall be submitted 30 calendar days prior to the start of the planned leave.
 - c. The form shall be submitted to the immediate supervisor for approval.
 - d. The MOS shall provide the approved form to each court annotated on the form.
 - e. The MOS shall return the initialed form to their supervisor for inclusion into the MOS's evaluation file.

C. Subpoenas from a Higher Court

1. When a MOS receives subpoenas or notices of hearing requiring simultaneous appearances, the higher court shall take precedence.
2. When an MOS receives the subpoena, whether it is for a court appearance or a hearing, they shall first attempt to rectify the conflicting subpoenas by contacting the issuer of the most recent subpoena and discuss the conflict and seek a remedy. In attorney cases, MOS should contact the prosecuting attorney for assistance in a solution. If no remedy is reached and a conflict still exists, the higher court shall take precedence such as in the following order:
 - a. Supreme and Appellate Courts
 - b. District Court
 - c. Magistrate Court
 - d. Municipal Court
 - e. MVD Hearings
3. Federal court subpoenas shall take precedence over state court subpoenas.



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STANDARDS AND PROCEDURES

COURT/HEARING APPEARANCE AND TESTIMONY

Section: 4
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4. Any criminal court subpoenas shall take precedence over attorney appointments or interviews, and other hearings and civil court processes. In the event that a conflict arises between attorney hearings and a civil court process, MOS shall attempt to rectify the conflicting subpoenas by contacting the issuer of the most recent subpoena and discuss the conflict and seek a remedy.

D. Personal Appearance and Demeanor

1. All attire shall be neat, pressed, clean, and color coordinated.
2. When MOS appear in Municipal Court or at hearings, depositions or pre-trial conferences, MOS shall wear the following attire:
 - a. The Department uniform, or
 - b. For male MOS, a dress shirt or sweater, with coordinating slacks, pants and footwear.
 - 1) A tie or bolo shall be worn by commissioned MOS when wearing a dress shirt.
 - 2) Sweaters must have a crew neck, except that V-neck sweaters may be worn over a shirt, at which time a tie is optional.
 - 3) Suits and sport coats may be worn.
 - c. For female MOS, a dress, or a blouse, sweater, or dress shirt with coordinating slacks/pants/skirt and footwear.
 - 1) Business suits and jackets may be worn.
 - 2) No sleeveless shirts, "spaghetti" strap blouses, midriffs or other inappropriate clothing shall be worn.
 - 3) Skirts and dresses shall be of an appropriate length for the individual.

3. When MOS appear before a magistrate or higher court, MOS shall wear the following attire:

- a. The Department uniform, or
- b. For male MOS, a suit, or a dress shirt, tie and sport coat with coordinating slacks, pants and footwear.
- c. For female MOS, a business suit, a dress, or a blouse, sweater or dress shirt with coordinating slacks/pants/skirt and footwear.

4. MOS shall conduct themselves with dignity and professionalism and show the utmost attention and respect for the court.

E. Testimony

1. Before presenting testimony, MOS shall review and become familiar with the specific case and have their evidence properly prepared for presentation.
2. MOS uncertain about how to present testimony or evidence should discuss the matter with a prosecuting attorney before the trial.
3. If it appears that the testimony will be directed against another MOS or law enforcement agency, subpoenaed MOS shall contact their supervisor and a city attorney before giving any testimony or deposition.
4. MOS shall follow the below guidelines when testifying:
 - a. Proper posture, sitting or standing;
 - b. Be honest and concise;
 - c. Speak clearly and loud enough to be heard;
 - d. Do not have any foreign objects in one's mouth;
 - e. Ask for clarification when a question is not understood before answering;
 - f. Do not volunteer information not relevant to the question asked;
 - g. Correct, without delay, any mistakes in one's testimony;
 - h. When testifying before a jury, direct testimony equally to the jury and the person asking the questions;



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Section: 4
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- i. When testifying before a judge, direct testimony equally to the judge and the person asking the questions;
- j. Do not display animosity toward the defendant or counsel; and
- k. Do not lose your temper and avoid attempts at humor or sarcasm.

F. Civil Subpoenas and Witness Fees

1. Only the MOS named on the subpoena in a civil case shall accept service of the subpoena.
 - a. Failure to obey a subpoena may be considered contempt of court. MOS shall accept service of civil case subpoenas naming them whether or not fees are attached.
 - b. On-duty MOS shall, at the time of service, demand such fees as are appropriate. If fees are not tendered upon service or prior to the required appearance, this fact shall be brought to the attention of the court for remedy.
 - c. MOS appearing in civil court during their regular duty hours will endorse the check "Payable to the city of Rio Rancho only" and return it and the subpoena to their supervisor. The check and the subpoena will be forwarded by the supervisor to the Finance Department.
 - d. MOS appearing in civil court, relating to city employment, during off-duty hours may either keep the check or submit overtime in the same manner as other court overtime.
 - e. When an MOS is not required to appear in court but receives payment; the payment received shall be returned.
2. If the civil case involves a pending claim or potential liability against the MOS (while in the scope of employment), Department, or City, MOS shall notify their supervisor and a city attorney within 24 hours of subpoena service.

G. Conferring with Attorneys

1. Civil Cases
 - a. When contacted by private attorneys on civil cases in which the city of Rio Rancho has no interest, MOS shall:
 - 1) Refer the attorneys to the applicable Department reports.
 - 2) If the attorney insists on discussing the case without benefit of a court directed deposition, refer the attorney to a city attorney.
 - 3) If a city attorney approves an informal conference between the MOS and the private attorney, MOS should respond at MOS's convenience.
 - b. No overtime and/or compensatory time shall be accepted by supervisors for off-duty conferences between MOS and attorneys on civil cases not related to city business.
2. Criminal Cases
 - a. MOS shall meet with defense attorneys when requested. The prosecuting attorney shall be briefed on the intended meeting and given the option of attending.
 - b. A subpoena is not required for officers to meet with defense attorneys.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 4
Chapter: 2
Article: 1

DEPARTMENT POOL VEHICLES

GENERAL STANDARD

In order to maintain an effective fleet of pool vehicles, MOS who use a pool vehicle shall return it in serviceable condition.

STANDARDS AND PROCEDURES

- A. The assignment of Department pool vehicles shall be based on the needs of the Department.
- B. If an MOS is scheduled for vacation or any other extended leave beyond their normal days off, the issued pool vehicle shall be returned to the Fleet Maintenance Division.
- C. Pool vehicles shall be returned:
 1. With a full tank of gas,
 2. With all trash and personal items removed,
 3. With all electrical accessories in the off position,
 4. In clean condition, and
 5. To the designated pool vehicle area or the Fleet Maintenance Division.
- D. If vehicle service or repair is needed, MOS shall report the problems to a supervisor and complete the Fleet Maintenance Form to ensure the vehicle is returned to the fleet in proper condition.
- E. This policy is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 4
Chapter: 2
Article: 2

TAKE HOME VEHICLE PROGRAM

GENERAL STANDARD

MOS may be issued take home vehicles in order to provide a force of personnel ready to respond to a public safety incident, and to make the Take Home Vehicle Program practical, it is necessary to keep it economically feasible.

The advantages of the take home vehicle program are many. The program increases the presence of law enforcement. It decreases response times to public safety situations and allows off-duty personnel to respond more effectively and efficiently. The program also promotes high officer morale and instills personal pride in the equipment they use and maintain. This program is essential to the operation of the Rio Rancho Police Department.

One objective of the Take Home Vehicle Program is to increase the potential for suppressing violations of law. An individually assigned vehicle conveys a sense of police omnipresence.

When officers are issued take-home cars, they have available at all times a vehicle in which to respond to calls when needed. Many officers only own one personal vehicle and would not always have a means of responding when needed. Without a take home vehicle program, response requiring many sworn officers could not occur. If off-duty response is required, officers responding in their personal vehicle would not have emergency lighting when arriving at the scene, which could lead to an accident.

Also, there have been instances when citizens in need of assistance have gone to an officer's home (disturbances, EMS emergencies, directions, etc.) when they did not have access to a telephone, due to the marked vehicle being parked at the residence. This has decreased the response time to an emergency and other situations, and increased the effectiveness in a wide array of emergency situations.

A Rio Rancho Police unit is more than a car with lights and sirens. Each vehicle carries several pieces of emergency equipment, some of which include: fire extinguisher, emergency lighting equipment, traffic cones, jumper cables, car opening devices, blankets, additional report forms, extra clothing for inclement weather, extra ammunition, accident scene investigation equipment, crime scene investigation equipment, cameras, tire chains, flashlight with traffic wand, and many other items which are often necessary at incident scenes. Without the benefit of a take home vehicle, these items will not be available, nor maintained as they should be.

The need for rapid response to law enforcement calls is essential to the lives and safety of the public due to the limited number of officers on-duty at any one time. The need for officers who can quickly respond to a call from an off-duty status is crucial. Without this program, when on-duty personnel are busy with other functions, an off-duty officer must come to the station, pick up necessary equipment and transportation, and then respond to a call.

A take-home vehicle program is a more effective way for administration to monitor vehicle maintenance and care by each officer. The take-home vehicle is very important to the City of Rio Rancho in order to maintain the public's safety.

STANDARDS AND PROCEDURES

- A. MOS in the immediate area of an emergency or an MOS's call for assistance shall respond. Response shall not be emergency run, unless a life or death situation exists.
- B. No equipment other than that approved by the Director shall be installed or carried in the vehicle.
 1. MOS may carry or install a small, appropriate photograph of a family member or acquaintance, a briefcase or pursuit case, clipboards, writing materials, flashlight and other related items necessary to perform his duties.
 2. Permission from the Director to carry or install other items may be granted only after a written request has been submitted through the chain of command.
 - a. The installation of additional equipment shall be conducted at MOS's time and expense.
 - b. Approved equipment shall be carried or installed in a proper manner to prevent damage to the vehicle or equipment. If damage to any Department vehicle or equipment results, the damage shall be repaired at the MOS's expense.
 3. No item, which tends to reflect negatively on the Department or portray an unprofessional image shall be carried or installed in a Department vehicle.
 4. MOS shall be responsible for any thefts of City equipment from their assigned vehicle if left unlocked and any unjustified damage done to the vehicle.
- C. Vehicles shall be kept clean inside and out at all times.
 1. The appearance of the vehicle shall be maintained to the highest standard.
 2. The vehicle is subject to inspection by the Director, or his designee, at any given time.
- D. MOS shall drive the vehicle at all times with reasonable prudence to conserve their usefulness and preserve them at their highest operating efficiency,



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TAKE HOME VEHICLE PROGRAM

and shall operate vehicles within the framework of New Mexico Law, relative to speed, stopping, or slowing down for traffic signals, etc., while on emergency runs.

1. Sworn MOS shall have their badge, secured firearm, and commission card when using the vehicle, on or off-duty.
2. MOS shall not use the vehicle in any manner to cause embarrassment or disgrace to the Department.
 - a. Except in the performance of duty, the vehicle shall not be parked or left unattended on any parking lot in front of or near taverns or liquor stores or other places, which reflect discredit to the Department.
 - b. Except in the performance of duty, no alcoholic beverages shall be transported in the vehicle.
 - c. MOS shall wear appropriate clothing, which would facilitate their responsibility to provide assistance, when required.
- E. Vehicles assigned to an MOS may be used for limited off-duty transportation of passengers.
 1. MOS shall be held directly responsible for the proper conduct and appearance of passengers.
 2. All passengers shall utilize seat belts or appropriate child restraint devices. All restraint devices shall be worn in conformance with established law. All child restraint devices not factory installed shall be provided by the MOS.
 3. Vehicles shall not run emergency response while passengers are in the vehicle. However, if passengers can be left in a place of safety, MOS may respond individually.
- F. Vehicles shall be assigned and their use restricted in accordance with the following:
 1. Only those MOS authorized by the Director may participate in this program.
 - a. No authorization shall be given within the first 30 days of employment.
 - b. Assignment of vehicles shall be based on Department need once the 30 day period has expired.
 - c. Any MOS who resides more than 50 miles from the City Limits shall not be assigned a take home vehicle. The mileage shall be calculated via the most direct roadway route from the MOS's residence to the City Limits.
 2. MOS shall be limited to off-duty use of marked Department vehicles for travel:
 - a. Within the City Limits of Rio Rancho, unless an MOS is specifically assigned to be on-call and a supervisor approves its use.
 - b. To and from Department employment.
 - c. To and from Department business or assignment within Sandoval or Bernalillo counties.
 - d. To and from Department sponsored educational training.
 3. Persons residing outside the City Limits may travel to and from Rio Rancho for use within Rio Rancho.
 4. Department vehicles shall not be used for:
 - a. Grocery shopping, or other non-Department related shopping trips requiring numerous or bulky items to be placed in the vehicle.
 - b. Other activities not specifically authorized outside the City Limits.
- G. MOS who are on an extended leave of absence, consisting of 30 days or more, shall clean the vehicle, remove any and all personal belongings, properly store any and all Department issued firearms normally secured in their vehicle safely in their homes, or turned over to a Department quartermaster, and turn their issued vehicle into the department for the time of their absence.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

EMERGENCY EQUIPMENT AUTHORIZATION

Section: 4
Chapter: 2
Article: 3

GENERAL STANDARD

Emergency equipment may be operated and installed on vehicles representing the Department when prior authorization has been granted by the Chief of Police.

STANDARDS AND PROCEDURES

- A. Department owned vehicles shall be authorized to operate emergency equipment when emergency lights and/or siren have been installed by the Department.
- B. Personally owned emergency equipment shall not be installed on Department owned vehicles without authorization from the Chief of Police.
- C. Persons operating emergency equipment on an authorized vehicle shall do so in accordance with State Statute, City Ordinance and Department Policy.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**REPAIR AND MAINTENANCE OF DEPARTMENT VEHICLES**

Section: 4

Chapter: 2

Article: 4

GENERAL STANDARD

Department vehicles needing to be repaired or maintained shall be brought to the Fleet Maintenance Division for service. No vehicle shall be driven that is in an unsafe condition.

STANDARDS AND PROCEDURES

- A. It is the responsibility of each MOS to inspect and check their issued unit and ascertain if said unit is in need of repair or preventative maintenance.
- B. Before taking a Department vehicle to the Fleet Maintenance Division, the MOS shall complete the Fleet Maintenance Form and have it signed by their supervisor. The form shall be submitted to Fleet Maintenance when the vehicle is approximately 500 miles from the next scheduled service.
 1. Fleet maintenance shall notify the MOS when to drop their vehicle off for service.
 2. If fleet maintenance cannot reach the MOS, they shall contact the MOS's immediate supervisor.
- C. Before, or at the time the vehicle is delivered to the maintenance shop, the MOS shall remove all personally owned items, and all weapons, from the vehicle.
- D. The Fleet Maintenance Division will be responsible for the repair and maintenance of Department vehicles.
 1. Upon completion of the vehicle service, the Fleet Maintenance Division shall contact the MOS to have the vehicle picked up within 24 hours.
 - a. If the MOS does not pick up the vehicle within the 24 -hour period, the vehicle may be reassigned or used as a pool vehicle.
 - b. If the MOS cannot be contacted, fleet maintenance shall contact the MOS's supervisor who shall be responsible picking up the vehicle and returning the issued pool vehicle.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 4
Chapter: 2
Article: 5

DEPARTMENT VEHICLE OPERATION

GENERAL STANDARD

MOS shall operate Department vehicles in a safe, lawful, and prudent manner during routine patrol and off-duty driving. MOS issued Department vehicles shall maintain vehicles in good mechanical condition and clean appearance.

STANDARDS AND PROCEDURES

A. MOS shall:

1. Not permit passengers during routine patrol, unless:
 - a. The passengers have been authorized pursuant to the Department's Ride-a-long policy,
 - b. The passengers are a Department employee, or
 - c. The passengers need transportation for a public safety service.
2. Limit transportation of civilian employees to the needs of the Department,
3. Drive Department vehicles with reasonable care to conserve their operating efficiency and appearance, and
4. Use the seat belt and harness while driving or riding in a Department vehicle, and ensure all passengers use appropriate seat belts, harnesses and child restraint devices.
5. Maintain a current certification of successfully completing a defensive driving course.
6. Not allow more passengers than the vehicle is designed to safely transport.
7. Not disengage or modify any installed equipment or safety device. Safety devices include, but are not limited to:
 - a. Antitheft devices,
 - b. Traction control
 - c. Stability control, or
 - d. Event data recorder.

B. Civilian MOS's use of Department vehicles shall be limited to Department business.

1. Civilian MOS must have prior approval.
2. Civilian MOS using a personal vehicle or a Department vehicle for Department business shall have the appropriate insurance coverage as required by the Human Resource Department.

C. Use of Mobile Devices During the Operation of a Department Vehicle

1. While the vehicle is in motion, MOS shall not engage in writing, sending, searching, replying, utilizing an application (an "app") or reading any text-based communication on electronic wireless communication devices, including but not limited to, cell phones, smart phones, laptops, tablets, or any other mobile communication device, whether the electronic device is supplied by the City of Rio Rancho or owned by the MOS.
 - a. Digital portable radios and Mobile Data Terminals (MDT) are exempt under this provision when safely used to perform legitimate police functions. MOS are responsible for operating a police vehicle in a safe manner at all times, if the safe operation of the vehicle is impaired by reading or viewing of the MDT screen (i.e. heavy traffic, school zones, adverse weather or road conditions, complex or multiple inquiries, etc.) MOS should attempt to move to a safe location and stop the vehicle to use the MDT.
 - b. MOS shall not type on the MDT when the vehicle is in motion unless an exigent circumstance exists requiring immediate action. This restriction does not include one button or one touch responses for indicating the MOS is en-route to a call, arriving on scene, emergency button, or clearing a scene.
 - c. These procedures do not strictly prohibit MOS actively engaged in an undercover capacity from using mobile devices when such limitations may prove impractical or place the officer in danger.
2. MOS may use "hands free" devices.
 - a. MOS shall remove any cellular phone hands-free devices such as head sets, Bluetooth, ear buds, etc.



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DEPARTMENT VEHICLE OPERATION

during contact with the public.

- D. MOS shall not drive or use a marked Department vehicle in a manner that tends to reflect discredit on the Department, such as, but not limited to:
1. Violation of any traffic law unless necessary in the performance of duty,
 2. Hauling pets,
 3. Improper dress such as, costumes, miniskirts, etc.
 4. Hauling more passengers than the vehicle allows for proper restraint, and
 5. Other indiscreet use of the vehicle.
- E. Vehicles assigned to MOS shall be restricted as follows:
1. Operated while off-duty in conformance with the take home vehicle program policy.
 2. Operated by MOS only and not by family members or friends.
 3. Vehicles shall not be used as transportation to and from secondary employment.
- F. If an MOS operating a Department vehicle is involved in a crash, MOS shall immediately notify Communications and the on-duty supervisor.
1. Vehicles shall not be moved unless they present a traffic hazard.
 2. Immediate attention shall be given to any injured persons, and an additional ambulance shall be requested to complete transport if the accident involves an ambulance on a transport.
- G. When a Department vehicle is involved in a fire, MOS shall:
1. Attempt to clear the roadway and stop in a safe position,
 2. Request necessary assistance,
 3. Evacuate any persons from the vehicle to a safe distance,
 4. Turn off oxygen delivery systems when the vehicle involved is an ambulance,
 5. Turn off electrical systems, and
 6. Attempt to extinguish the fire, if possible.
- H. There shall be no smoking in Department vehicles.
- I. While in the performance of duty, unattended Department vehicles shall be properly secured whenever possible.
- J. MOS who operate Department specialty vehicles such as all-terrain vehicles (ATV's) or police motorcycles shall complete all training as required by the Department for the operation of the specialty vehicle.
- K. While off-duty, unattended vehicles shall be locked.
- L. For security reasons, uniforms and other issued or personal articles should not be left in plain view in an unattended vehicle. Such items should be concealed or removed to the trunk or other appropriate secure place.
- M. MOS who operate Department vehicles shall maintain a valid New Mexico driver's license.
1. Any loss, suspension, or revocation of any driver's license or privilege shall be immediately reported to the Director.
 2. MOS shall only operate vehicles in accordance with classification restrictions.
- N. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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DEPARTMENT EQUIPMENT

Section: 4
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GENERAL STANDARD

Department MOS shall keep issued equipment in serviceable condition, and the design or structure of issued equipment shall not be tampered with by unauthorized MOS. All Department equipment shall conform in style and design to specifications as approved by the Chief of Police, and no other shall be substituted or added to those items. MOS shall only carry equipment that is issued or approved by the Department for on-duty use.

STANDARDS AND PROCEDURES

- A. It is the responsibility of the quartermaster to order the appropriate equipment and issue it to the MOS. If equipment is found to be defective, it is the responsibility of the quartermaster to obtain the proper repairs; however, if the equipment is beyond repair, the item shall be inventoried and discarded or stored for parts.
- B. If issued equipment is lost or damaged while in the possession of the MOS, it becomes the MOS's responsibility to complete the Equipment Loss/Theft/Damage or Need Report form and forward it through the proper chain of command.
- C. Incidents resulting in lost, stolen or damaged equipment due to improper or careless action by a MOS may result in disciplinary action.
- D. Equipment shall not be used if it is known to be in unsafe condition. MOS shall immediately notify their supervisor of the unsafe condition.
- E. Issued equipment shall be kept in serviceable condition and not be abused or misused, and shall only be used for its intended purposes. All equipment shall be subject to inspection at any time.
- F. MOS shall not exchange or possess equipment without the appropriate approval.
- G. In the event the MOS does not report damaged, stolen, or lost equipment, the MOS shall be required to pay the replacement cost of said equipment.
- H. All equipment shall be kept in stock condition, and at no time shall any piece of equipment be altered by any unauthorized MOS. However, parts may be added to stock equipment to improve the effectiveness and efficiency of operation but only after appropriate approval.
- I. All articles of uniform, equipment and firearms shall conform in style and design to specifications as provided for and approved by the Chief of Police and no other shall be substituted or added to those items.
- J. MOS acting under the color of law shall carry only that equipment issued and/or approved by the Department. Nothing in this section shall preclude the issuance of special equipment issued during unusual incidents or for special assignments at the direction of a supervisor.
- K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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BODY WORN CAMERA

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GENERAL STANDARD

The body-worn-camera (BWC) is an “on-the-body” audio and video recording system assigned to each MOS as a means of documenting police activity. The purpose of this policy is to establish guidelines related to the use, management, storage and retrieval of the data stored on the departmental issued BWC that will foster transparency, promote accountability and trust, and preserve RRPD’s unique relationship with the citizens of Rio Rancho. Although the use of BWC technology offers the opportunity for RRPD to document valuable evidence and document law enforcement interaction, this policy also recognizes limitations of the recording devices used by officers and will allow officers the opportunity to provide supplemental statements and reports when appropriate and in accordance with the provisions of this policy, in an effort to complete thorough and accurate investigations.

It is the policy of the RRPD to further the mission of the Department, promote public trust, and enhance service to the community by accurately documenting events, actions, conditions, and statements made during citizen encounters, evidence collection, investigations, traffic stops, arrests, other incidents, and to help ensure officer and public safety.

DEFINITIONS

STANDBY Mode: The BWC continuously loops a video recording for up to 30 seconds before the recording is started manually by an MOS or automatically by other mechanical means. While buffering, only video (not audio) is recorded.

EVENT Mode: Once activated by pressing the EVENT button, the BWC saves the recorded buffered video and continues to record both audio and video.

Evidence Transfer Manager (ETM): Docking unit used to recharge and upload previously recorded audio and video (stored media) from the BWC. The ETM automatically transfers all stored media to either a computer-based or cloud-based repository, depending on an MOS's access rights.

Repository: An online, cloud-based digital media storage bank. All media uploaded is stored in a highly secure environment, accessible only to authorized personnel.

Evidence Sync: Computer desktop or Mobile Data Terminal (MDT) application that allows users to view captured media from their BWC via a standard USB cable. Users may also tag, categorize, add notes, and/or case/CAD numbers to captured media and will allow for upload to evidence disks. MOS, who were not granted access to the repository, shall utilize this system to enter evidence.

Department Program Administrator: The program administrator will maintain the integrity and efficiency of the data management and file retention systems. The Department Program Administrator shall be selected by the Chief of Police or designee.

Serious Use of Force: For the purpose of this policy, a serious use of force is force used by an officer that results in serious injury or death to an individual.

Evidentiary Recordings: Recordings that contain images and sound that may be used for evidence based prosecution and/or for civil court proceedings. This may include, but is not limited to, felony stops and arrests; incidents involving injuries or death; criminal investigations; incidents involving use of force; vehicle pursuits; and execution of warrants.

Non-Evidentiary Recordings: Non-evidentiary recordings are those that do not necessarily aid in an investigation or prosecution, which include found property, traffic stops, motor vehicle crashes, alarm calls, and citizen contacts where no crime has occurred (other than a traffic citation).

STANDARDS AND PROCEDURES

A. General Use Procedures

1. Authorized BWCs shall be activated when responding to calls for service, and prior to (or as soon as practical) law enforcement related encounters and activities involving the general public, provided that the activation does not interfere with officer safety or the safety of others.
 - a. MOS will activate the BWC while responding to an emergency call (Code-3) and while engaged in a vehicle pursuit.
 - b. MOS will activate the BWC during a foot pursuit when it is both practical and safe to do so in accordance with sub-section F (6) of this policy.
 - c. During search warrants, the BWC shall be activated during contact with any suspects or witnesses, or when such contact is likely to occur.
 - 1) The BWC shall be activated during the initial warrant service (approach, clearing, and initial walk-through).
 - 2) Once the scene is secure and if there is no other contact or anticipated contact with suspects or witnesses, the BWC may be placed in STANDBY mode.



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- d. During tactical operations, the BWC will be activated during contact with any suspects or witnesses, or when such contact is likely to incur.
 - 1) The BWC will also be activated when any actions, such as deploying any type of munitions, maneuvering to positions, approaches, clearing, etc.
 - 2) If there is little or no likelihood of contact with suspects or witnesses the BWC may be placed in STANDBY mode.
- 2. All audio, images and media associated with the BWC are the property of the RRPD and shall not be copied, released, or disseminated in any form or manner outside the parameters of this policy without the express written consent of the Chief of Police or designee.
- 3. Special duties and assignments.
 - a. Officers assigned to Task Force positions and not immediately supervised by Department personnel will adhere to the governing policies and procedures for that agency when determining whether to utilize BWCs.
 - b. It will be the responsibility of the supervisor overseeing Department specialized units or plain clothes details to determine the applicability of BWC usage that may jeopardize the safety of an MOS or member of the public.
 - c. Officers temporarily posted to a specialized assignment and/or duty will be required to follow the BWC policy for that position in determining the applicability of this policy.
 - d. MOS engaging in overtime details or special assignments shall adhere to this policy while fulfilling those duties in any capacity for the RRPD.
- 4. Medical facilities, Ambulances, and Patient Privacy.
 - a. Officers may record ambulance transports when they are present for law enforcement purposes.
 - b. MOS shall not record in the common areas of medical facilities except when recording an event in accordance with sub-section A (1) of this policy.
 - c. When MOS are in hospitals or medical facilities pursuant to sub-section A (1) of this policy, they shall continue to record and make every effort to provide patients with privacy such that they do not record patients during medical or psychological treatment or evaluations by clinicians or similar medical professionals. When recording in hospitals or other medical or psychiatric facilities, MOS shall be careful to avoid, when possible, recording persons other than the suspect, complainant, and witnesses. However, MOS may continue to record interaction with a combative suspect until medical or psychiatric staff has control over the individual.

B. MOS Responsibilities

- 1. MOS shall not use the BWC until they have successfully completed all required training on the inspection, activation, use, storage and uploading of all recorded media from the BWC.
- 2. All MOS in uniform shall have an operational BWC affixed to their uniform while on duty (on duty includes court and MVD hearings). Exceptions to this include training events while an officer is in a specialized unit uniform (SWAT, CNT, etc.), however, the BWC must be available.
 - a. Wear and use directives may be overridden by the Chief of Police or designee with regard to plainclothes assignments.
 - b. Officers assigned to plain clothes or detective position shall be required to comply with this policy only when conducting investigations or following up on incidents described in sub-section A(1).
 - c. Officers assigned to the Department front desk or assigned to duty determined by the Chief of Police or designee to be within an exception to the BWC requirement, will not be required to activate their BWC unless the officer determines that activation is appropriate and will lead to the collection of evidence or will document events consistent with this policy.
- 3. MOS are to ensure the following when assigned to use the BWC:
 - a. The BWC has no signs of damage and is functioning properly. Any apparent damage, malfunction or loss shall immediately be brought to the attention of the Shift Supervisor and shall be documented by the MOS assigned to the device; such documentation shall include the date and time of the noted damage, malfunction or loss of equipment.
 - b. The BWC shall be properly affixed to the MOS's uniform at the start of the MOS's duty or shift in accordance with Departmental regulations and manufacturer's guidelines. The BWC will be worn for the entire shift or duty assignment, and should be worn in location and manner that maximizes the camera's ability to capture video footage of the MOS's activities.
 - c. To record all situations directed by this policy, the MOS shall maintain the BWC in a constant state of operational readiness. Operational readiness means that the BWC has adequate battery life / available storage, and remains properly affixed to the MOS's uniform. In the



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event that the BWC's memory is full or that the BWC's battery is displaying a diminished capacity prior to the end of the officer's regular shift, the officer shall immediately advise their shift supervisor. The shift supervisor shall facilitate a replacement as soon as possible.

- d. MOS are responsible for the care and maintenance of the BWC while assigned to them. The BWC shall be operated and maintained according to the manufacturer's instructions and recommendations.
 - e. MOS shall only use a BWC that has been issued and approved by the Rio Rancho Police Department. The use of personal video recording devices is not authorized and any deviation requires prior approval from the Chief of Police or designee.
 - f. MOS shall document the use of BWC on reports, in accordance with current standards and procedures.
 - g. MOS shall properly categorize BWC incidents. The categorization establishes the retention period of the videos as well as if the video is evidentiary or non-evidentiary. If an encounter (such as a traffic stop) results in a report being generated, the videos shall be categorized as appropriate and the case number placed under the ID Number heading.
 - h. Whenever a case number is drawn for an incident, MOS shall enter the case number under the ID Number heading. All MOS present at the incident shall enter the case number under the ID Number heading, not just the case officer.
 - i. For non-report cases, the MOS may enter the Computer Aided Dispatch (CAD) number in the ID Number section. Only numbers are authorized in the ID Number section (no letters or special characters).
 - j. The Title Heading may be used by the MOS to assist in identifying cases, but is not a mandatory field to be used.
 - k. MOS shall place the BWC into the ETM at least once every duty day.
 - 1) This requirement may be waived by the on-duty supervisor for up to, but no longer than, three calendar days; unless the BWC contains footage that is critical to a criminal investigation and/or is needed for a Supervisor's Review, Use of Force Review, or Pursuit Review, or is related an incident that is likely to result in media attention.
 - 2) If the MOS was involved in a pursuit, use of force, or other serious incident, or the MOS believes a complaint will result from a citizen contact, the BWC must be uploaded at the direction of the MOS' supervisor.
 - 3) When BWC footage is needed to further a criminal investigation, it shall be uploaded as soon as practical at the direction of the MOS' supervisor or Criminal Investigations Division.
 - 4) In the event that a MOS intends to be away from duty (leave, etc.) for more than two days, the BWC shall be uploaded prior to the end of shift on the last duty day prior to the anticipated absence. This does not include regularly scheduled days off.
 - l. It is recommended MOS make every effort to keep the BWC affixed on their person while traveling to and from home, in the event the MOS is involved in or required to take some form of enforcement action en route. MOS must have a BWC available any time they operate a Department vehicle.
 - m. MOS who utilize the ETM, and who may have inadvertently activated the BWC during non-law enforcement related activity, can send an email request through their Chain of Command to have the recording deleted from the repository. The original email and subsequent approval or denial will be retained by the Department Program Administrator. The Department Program Administrator shall be the only person other than the Chief of Police who has authority to delete such BWC recordings.
 - n. If a MOS intentionally deactivates a BWC prior to the conclusion of an event, the officer shall document the reason(s) for terminating the recording by stating audibly on the video the reason for deactivation.
4. MOS shall not:
- a. Remove, dismantle, or tamper with any hardware or software component or part associated with the BWCs or related applications;
 - b. Destroy, delete, disseminate, edit, alter, modify, tamper with (except when redacting BWC recordings for official purposes), upload to social media, or otherwise use BWC recordings without written permission from the Chief of Police or designee.
 - c. Copy or download a BWC recording without written approval from their supervisor and the written approval shall be maintained by the supervisor and the Department Program Administrator. MOS shall only share BWC recordings for official law enforcement purposes;
 - d. MOS shall be permitted to view an archived BWC recording in preparation for an imminent court proceeding.
 - e. Record, view, download, or convert any BWC recording for personal use;
 - f. Intentionally use any other MOS's assigned BWC. If an MOS inadvertently uses another MOS's assigned BWC, they shall notify their direct supervisor immediately via email;



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- g. Record conversations of RRPD personnel during routine, non-enforcement related activity;
 - h. Intentionally or willingly record confidential informants or undercover MOS unless the case officer approves such recordings;
 - i. Use any other electronic device or other means to intentionally interfere with the capability of the BWC;
5. MOS may place the BWC into STANDBY mode under the following circumstances and conditions:
- a. When requested by a victim of a crime and it is reasonable to do so.
 - b. When requested by a witness of a crime or community member who wishes to remain anonymous and there is no other practical reason to record;
 - c. When interacting with a confidential informant;
 - d. MOS may take into consideration an unclothed or partially clothed subject or victim and may obscure the view or stop recording until such time that the subject or victim is clothed. The officer shall note on the recording the reason for temporarily obscuring the view or for pausing the recording;
6. MOS may continue to record or resume recording a victim or witness if exigent circumstances exist or if the officer has reasonable suspicion that a victim, witness, or confidential informant has committed or is in the process of committing a crime. MOS will indicate on the recording the reason for continuing to record, despite the request of the victim or witness, unless impractical or impossible to do so;
7. During the recording of an incident, MOS will not disengage the BWC until the entire incident has been recorded, when further recording of the incident will not serve a proper police purpose, or upon order from a supervisor. In the event of an arrest, the incident is concluded when the subject is transported and booked. During periods of no direct contact with the arrestee; completing paperwork, etc., the BWC may be deactivated. Any contact or interaction with the arrestee shall be recorded with the BWC unless there are other video and audio recording devices active, such as in the booking area.
8. Stored video and audio data from a BWC shall not be used to create a database or pool of mug shots; or be used as fillers in photo arrays; or be searched using facial recognition software, unless an identified suspect remains at large or has been taken into custody and such identification is necessary to aid in prosecution.

C. Officer, Supervisory, and Investigatory Review

1. Serious Incidents and Reviews.
 - a. In the event of a use of force, vehicle pursuit or in-custody death, all BWC recordings shall be uploaded as soon as practical by the lead detective, designated sergeant or assigned task force investigator. The BWC shall remain with the officer until collected for evidentiary purposes by an investigator, a supervisor, or when the MOS is directed to upload a recording to the ETM. This is to maintain the chain of custody for evidentiary purposes.
 - b. Once the officer's initial statement has been submitted, the appropriate investigator will show the officer his/her audio/video upon request. This will occur prior to the conclusion of the interview process. The officer will be given the opportunity to provide additional information to supplement his/her statement in both verbal and written form and may be asked additional questions by the investigator.
2. Investigation of an MOS
 - a. MOS who are the subject of a criminal investigation may only view their own audio/video recordings at the direction of the Chief of Police or designee.
 - b. MOS who have received notice that they are the target or a witness in an Internal Affairs investigation, may only view their own audio/video recordings at the direction of the Office of Professional Standards.
3. Investigators conducting criminal or administrative investigations shall:
 - a. Advise the system administrator and the affected MOS's chain of command that public disclosure of the BWC recordings is restricted due to ongoing criminal or internal investigation;
 - b. Review the file to determine whether the BWC recordings are of evidentiary value and process the recordings in accordance with this policy;
 - c. Notify the system administrator and affected chain of command when the access restriction is no longer necessary and when the criminal and/or administrative investigation is closed.



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4. Supervisor Responsibilities

- a. When an incident arises that requires the immediate retrieval of BWC media for chain of custody purposes (including, but not limited to serious crime scenes, officer-involved shootings, use of force, in-custody death, vehicle pursuit, or others as determined by policy/supervision), a supervisor shall respond to the scene and ensure the BWC remains affixed to the MOS in the manner it was found and that the BWC data remains uncompromised. The Incident Commander may approve the removal of the BWC by supervisory personnel.
- b. BWC recordings may be reviewed in order to ensure that equipment is operating properly, that MOS are using the devices appropriately and in accordance with this policy, and in order to identify any areas in which additional training or guidance is suggested.
- c. A supervisor may review BWC recordings when investigating a specific act of misconduct, to ensure subordinates are complying with this directive, and to assess officer conduct.
- d. A supervisor may review BWC recordings when an MOS has been placed on a performance improvement plan within the evaluation system in order to address identified behavioral or performance deficiencies. The performance observed shall be documented and maintained by the supervisor conducting the review.
- e. A supervisor may review BWC recordings of probationary MOS. Such a review may be documented in a Daily Observation Report.
- f. If a higher ranking officer orders a subordinate to deactivate the BWC, the higher ranking officer shall state the reason for the deactivation audibly so that the authorization may be documented on the BWC.
- g. A Field Training Officer (FTO) may review another officer's BWC recording while they are on OJT for the purpose of evaluating training, performance, and any training deficiencies. The review of the BWC recording will be documented on the Daily Observation Report.
- h. Any recordings necessary for supervisor, use of force, pursuit, and/or crash reviews or internal affairs investigation will be categorized "pending review". Once the review is complete and a file copy of the BWC footage is made, the "pending review" category will be removed and the original category will be retained.

D. Requests for the BWC Recordings by the Public

1. Items stored in the Repository are evidence and will only be released in accordance with the rules for evidence, Department Standards and Procedures, or as a result of an Inspection of Public Records Act (IPRA) request.
 - a. Any discovery requests by defense attorneys will follow the same procedures as with other evidence.
 - b. The evidence may be shared with prosecuting attorneys and other agencies involved with the case.
 - c. Evidence from open cases may be released in accordance with IPRA unless the information contained will compromise an ongoing investigation.
 - d. Case agents may allow persons to view videos after consultation with the prosecuting attorney. If sensitive or personal information of someone other than the viewing party is on the video, redaction should be considered as necessary. The viewing of the video shall be done under the supervision of the lead detective assigned to the case, the Department Program Administrator, or supervisor. A copy of the video will not be released.
 - e. Videos and recordings provided under IPRA shall be redacted and only released by the City Clerk.
2. MOS who receive a request to review BWC footage shall immediately notify their direct supervisor, who in turn will notify the Administrative Services Manager or designated Department Records Custodian to meet the requirements of IPRA.
 - a. The person making the IPRA request will be referred to the City Clerk who will coordinate fulfillment of the request.
 - b. The Administrative Services Manager or Department Records Custodian may consult with the City Attorney in order to determine if any portion of the recording should be redacted and if any other privacy concerns exist.
 - c. The supervisor shall conduct a review of the recording in order to determine that viewing it would not compromise the safety of any other subject, techniques utilized by law enforcement not for public knowledge, or privacy issues regarding juveniles or victims of crimes in accordance with state law.

E. Data Management and File Retention

1. Dual systems will be in place for managing evidence. If the MOS has not been granted access to the repository, evidence recorded on the BWC shall be downloaded via the evidence sync, files labeled and transferred to a CD or DVD, and the media submitted into the normal property-evidence system. If the MOS has access to the repository through the ETM, the previous step is unnecessary. All evidence captured



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and recorded on the BWC will be uploaded, labeled and retained in their respective repository complying with all applicable State of New Mexico statutory requirements regarding criminal justice management and evidence retention.

2. Recordings are either evidentiary or non-evidentiary recordings. The officer's supervisor and/or the Department Program Administrator may conduct an audit to ensure recordings are tagged appropriately with the case number and category:
 - a. Evidentiary Recordings
 - 1) Evidentiary Recordings shall be retained until the case is fully adjudicated. The Evidence Room technician(s) or Program Administrator will delete the videos along with the other case evidence in accordance with applicable laws and the Department's Evidence and Property Control policy.
 - 2) The time period for recordings involving homicide, sexual assault and child abuse shall be indefinite or upon explicit written approval from the District Attorney and/or City Attorney via an Ex Parte order from the responsible court.
 - b. Non-evidentiary recordings
 - 1) Should the category change to one involving a crime, the MOS shall re-categorize the recordings to Evidentiary immediately upon learning of the change. This includes traffic crashes or stops that result in a criminal investigation.
 - 2) The time period for retention of Non-evidentiary recordings shall be 90 days in accordance with Rule 15.197 of the City's record retention schedule.
 - 3) Recordings used to aid in training may be recorded and stored separate and apart from the repository. The usage of such recordings shall be documented and approved by the Training Unit and continued retention approved by the Chief of Police or designee.
3. Access to all BWC stored media shall be restricted to authorized users, and the viewing of any BWC footage will be restricted to legitimate law enforcement purposes.
4. Any request for BWC media made from outside the Rio Rancho Police Department shall comply with the records disclosure, records management policies of the Department and the New Mexico Inspection of Public Records Act (IPRA). Recordings provided under IPRA will be redacted in accordance with applicable local, State, and Federal rules and directives.

F. Limitations

The following basic limitations or constraints should be taken into consideration when viewing BWC recordings:

1. A camera mounted on a fixed point on an officer will have limited perspective and should not be considered an officer's entire view or vantage point; the BWC will not always be pointed in the same direction as the officer's line of sight;
2. An officer may experience different psychological and/or physiological affects when presented with life-threatening situations that recorded camera footage may not reflect or capture;
3. A camera will not record the sensory cues an officer is trained to observe during human interaction, e.g. the sudden tense grip of a suspect or visual cues that alert an officer that a suspect is about to flee;
4. Normal human reaction time, especially during stressful situations, may not be accurately depicted as human reaction tends to be slower than the live speeds at which a camera captures
5. An event may not be recorded in its entirety due to the inability of an officer to start the BWC when an event unfolds rapidly, officer safety issues preclude it, mechanical failure of the BWC, or an officer's concealed location precludes an open field of view for the BWC.
6. The Rio Rancho Police Department recognizes there are certain circumstances where officers in a proactive (non-dispatched) capacity may become involved in a situation requiring immediate action to prevent injury, make an arrest and/or prevent the destruction of evidence or escape. When these situations occur, officers should activate the BWC if doing so does not place them or others in danger. If the immediate activation of the BWC is not feasible due to an immediate risk to the safety of the officer or others, the officer will activate the BWC at the first available opportunity after the immediate threat has abated. Supervisors will closely review documentation of such incidents to ensure exigent circumstances did in fact exist.

G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

An official badge of office shall only be worn or displayed for identification purposes by an MOS when appropriate.

STANDARDS AND PROCEDURES

- A. MOS shall wear issued Department badges when in uniform in compliance with uniform regulations.
- B. When not in uniform, MOS shall carry their badge in a manner to protect the badge from unnecessary damage such as in a wallet or purse or on a holder/case.
- C. A badge shall be carried by commissioned MOS in the following circumstances:
 - 1. When traveling in a marked Department vehicle,
 - 2. When wearing a Department approved sidearm, or
 - 3. Anytime that it is reasonable to believe that the MOS might have to use the badge for identification purposes for Department related business.
- D. MOS shall not permit unauthorized persons to be in possession of or use a Department badge.
- E. Metal badges should not be worn while working in a hazardous environment such as fire fighting, where the badge might cause harm to the MOS.
- F. Badges are to be stored in the Chief of Police's office, and shall only be issued with the Chief of Police's approval.
- G. Department badges shall not be used for personal gain, nor shall the authority granted by the badge be abused in any manner.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

FIREARMS

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GENERAL STANDARD

Sworn law enforcement MOS are authorized to carry firearms in accordance with Federal, State, and local laws, and Department policies. The decision to carry a firearm is a matter of good judgment based on circumstance. Discretion and safety shall be exercised while handling firearms.

DEFINITIONS

Primary Firearm: The issued or authorized sidearm/firearm intended for uniformed, on-duty use. This firearm may be worn in plainclothes, but is the same sidearm that would be carried if on uniformed duty.

Secondary Firearm: An authorized sidearm/firearm specifically requested by the MOS for carry in plainclothes on-duty assignments due to smaller size and concealability. This firearm shall not replace the primary firearm.

Back-Up Firearm: A firearm authorized for concealed carry, while on-duty in uniform, or plainclothes, intended for use as a backup to the primary or secondary firearm.

Field Strip: Field stripping is intended to disassemble a firearm enough to clean and/or lubricate it without the use of tools. Some weapons require a tool that is provided by the manufacturer to complete field stripping. This would be allowable as determined by the manufacturer. This is intended for weapon operators/owners.

Armorer's Disassembly: A complete disassembly of all parts contained in the firearm. This disassembly is only performed by a qualified manufacturer or department armorer.

Level-One Retention Holster: A level of retention in which the retention of a firearm is through friction between it and the holster.

Level-Two Retention Holster: A level of retention in which a locking device, such as a button or release mechanism, is manipulated before a firearm can be removed from the holster.

Level-Three Retention Holster: A level of retention in which two locking devices, such as a button or release mechanism, is manipulated before a firearm can be removed from the holster.

STANDARDS AND PROCEDURES

A. Training

1. MOS shall be trained in the proficient use of all firearms they are authorized to use.
2. MOS are required to successfully complete periodic and State of New Mexico Biennium firearms training and annual qualifications to maintain proficiency and certification.

B. On-Duty Use

1. The Department shall provide MOS with an approved Department issued primary firearm for on-duty use.
 - a. Department issued firearms shall not be mechanically altered or modified, and must meet manufacturer specifications.
 - b. Department issued firearms shall only be field stripped for cleaning or lubricating purposes. Further disassembly shall be conducted by a certified department armorer.
 - c. Requests for non-mechanical modifications shall be submitted through the chain of command to the Chief of Police. All approved modifications shall be completed by the department armorer.
2. MOS may submit a written request for authorization to carry and qualify with a privately owned primary firearm.
3. An authorized MOS shall be permitted to carry privately owned firearms while on-duty, whether in uniform or plain clothes, as their primary firearm. The following restrictions shall be adhered to:
 - a. Only firearms of 9mm, .40, or .45 ACP calibers shall be permitted.
 - b. Only double or single action semi-automatic pistols are permitted. Barrel length must be a minimum of four inches and no longer than five and a quarter inches.
 - c. The firearm shall be capable of holding a minimum of six rounds of ammunition.
 - d. The firearm shall have functioning night sights installed.



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- e. Firearms shall not be restricted to particular makes or models. Firearms shall not have been mechanically altered or modified, and must meet manufacturer specifications.
- f. A certified department armorer shall inspect privately owned primary firearms. The inspection(s) will ensure serviceability and compliance with the manufacturer's specifications. The inspection(s) shall be at the MOS expense if the weapon can not be inspected by a Department certified armorer. MOS are required to provide written documentation that the firearm has been properly inspected. Privately owned firearms shall be subject to an annual inspection meeting the same criteria as outlined in this subsection.
- g. MOS may replace handgrips, which shall be black or brown in color, as long as it does not affect the operation of the firearm.
- h. MOS may replace sights as long as it enhances the accuracy of the firearm.
- i. MOS may make other non-mechanical modifications such as fore-end lights, as long as it enhances the safety, serviceability or accuracy of the firearm.
- 4. A primary firearm shall be carried by uniformed sworn MOS at all times when on-duty. On-duty, non-uniformed MOS shall carry primary or secondary firearms except when the nature of the particular assignment or investigation necessitates no firearm or the use of a back-up firearm.
- 5. MOS authorized to carry a personally owned firearm as their primary firearm shall turn in the Department issued firearm and associated equipment.
- 6. The Department will provide duty and training ammunition for the MOS's primary firearm. MOS shall not carry privately owned ammunition in their primary firearm while on-duty.
- 7. Uniformed MOS shall carry their primary firearm in a holster capable of at least level-two retention intended for the make and model of the weapon.
 - a. Non-uniformed MOS shall carry unconcealed authorized weapons in a holster capable of at least level-two retention. MOS utilizing level-one retention such as an open top holster shall have their weapon concealed whenever in public or dealing with a member of the public.
 - b. Any other carry for non-uniformed special assignment must be approved through the chain of command.
 - c. Fanny packs are not authorized for on-duty use.
- 8. Firearms will be carried fully loaded with a round in the chamber.
 - a. Single action side arms will be carried with the hammer back and the safety on.
 - b. Double action side arms will be carried with the hammer down.
 - c. Uniformed MOS, other than those who are primarily assigned administrative duties, shall carry a minimum of two additional full magazines.
 - d. Non-uniformed MOS will carry at least one spare magazine while on-duty.

C. Secondary Firearm

- 1. One non-issued semi-automatic secondary firearm may be carried for on-duty use when:
 - a. The MOS has obtained authorization to carry the privately owned firearm,
 - b. The caliber is either, 9 mm, .40, .45,
 - c. The MOS has met the conditions for carrying a personally owned firearm as required by established procedure, and
 - d. The MOS has qualified with the firearm, and demonstrated proficiency during annual firearm qualifications.
- 2. Semi-automatics with a barrel length of less than four inches may be authorized by the Chief of Police for secondary carry.
- 3. The firearm must be capable of holding a minimum of six rounds of ammunition.
- 4. The firearm shall have functioning night sights installed.
- 5. The firearm shall not be restricted to particular makes or models. Firearms shall not have been mechanically altered or modified, and must meet manufacturer specifications.
- 6. Secondary firearms shall only be field stripped for cleaning or lubricating purposes. Further disassembly shall be conducted by a certified department armorer.



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7. A certified armorer shall inspect privately owned on-duty secondary firearms. The inspection(s) will ensure serviceability and compliance with the manufacturer's specifications. The inspection(s) shall be at the MOS expense if the weapon cannot be inspected by a Department certified armorer. MOS are required to provide written documentation that the firearm has been properly inspected. Privately owned on-duty secondary firearms shall be subject to an annual inspection meeting the same criteria as outlined in this subsection.
8. Non-uniformed MOS shall carry unconcealed authorized weapons in a holster capable of at least level-two retention. MOS utilizing level-one retention such as an open top holster shall have their weapon concealed whenever in public or dealing with a member of the public.
9. MOS may replace handgrips, which shall be black or brown in color, as long as it does not affect the operation of the firearm.
10. MOS may replace sights as long as it enhances the accuracy of the firearm.
11. MOS may make other non-mechanical modifications such as fore-end lights, as long as it enhances the safety, serviceability or accuracy of the firearm.
12. The Department shall provide all duty and training ammunition for their secondary firearm.
13. Non-uniformed on-duty MOS carrying an unconcealed sidearm shall conspicuously display their badge of office.

D. Back-Up Firearm

1. One non-issued sidearm, revolver or semi-automatic, may be carried for on-duty back-up use when:
 - a. The MOS has obtained authorization to carry the privately owned firearm,
 - b. The caliber is either .32, .38, .380, .357, .40, .45, 9mm, or 10mm,
 - c. The MOS has met the conditions for carrying a personally owned firearm as required by established procedure, and
 - d. The MOS has qualified with the firearm, and demonstrated proficiency during annual firearm qualifications.
2. Firearms shall not be restricted to particular makes or models. Firearms shall not have been mechanically altered or modified, and must meet manufacturer specifications.
3. Back-up firearms shall only be field stripped for cleaning or lubricating purposes. Further disassembly shall be conducted by a certified department armorer.
4. A certified armorer shall inspect privately owned back-up firearms. The inspection(s) will ensure serviceability and compliance with the manufacturer's specifications. The inspection(s) shall be at the MOS expense if the weapon can not be inspected by a Department certified armorer. MOS are required to provide written documentation that the firearm has been properly inspected. Privately owned back-up firearms shall be subject to an annual inspection meeting the same criteria as outlined in this subsection.
5. MOS may replace sights as long as it enhances the accuracy of the firearm.
6. MOS may make other non-mechanical modifications such as fore-end lights, as long as it enhances the safety, serviceability or accuracy of the firearm.
7. MOS shall provide all ammunition for training and duty use for their back-up firearm.
8. Authorized back-up firearm ammunition will be limited to jacketed hollow points. Round nose, including lead round nose, hardball, full wad cutter, and Glaser style (filled with lead shot) cartridges are prohibited.

E. Shotguns and Carbine Rifles

1. Department approved shotguns, carbine rifles, and ammunition shall be issued to MOS. Only departmentally issued ammunition shall be carried in these weapon systems.
2. The shotgun will be carried with no round in the chamber and safety on. Magazines should be filled to at least one short of capacity.
3. Entry level MOS shall complete a departmentally approved 40-hour basic course of instruction to carry a departmentally issued carbine rifle.
4. MOS certified to carry a carbine rifle by another entity shall provide successful completion documentation of an equivalent basic operator's course. These lateral MOS will then complete a one-day department familiarization training and demonstrate proficiency with the carbine rifle with a State of New Mexico carbine rifle qualification course prior to duty carry.



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5. Use of departmentally approved non-magnifying optics is allowed on the carbine rifle during the 40-hour basic course.
6. Carbine rifles will be carried in the "half load" condition.
 - a. Rifle bolt pulled to the rear and allowed to ride forward on an empty chamber with magazine removed, and then
 - b. Placing the selector on safe and reinserting the magazine into the well, and
 - c. Closing the dust cover over the ejection port.
7. Shotguns and carbine rifles shall be kept secured in a gunlock, or other area such as the trunk, when a gunlock is not available or malfunctioning, except when needed in the performance of duty, or as directed by the firearms range staff or supervisor. MOS shall not leave an un-secured shotgun or carbine rifle unattended.
8. No internal modifications affecting the operation of the system shall be made to the shotgun or carbine rifle without the written approval of the firearms coordinator.
9. MOS may field strip department shotgun and carbine rifles for cleaning purposes. Only approved department armorers are allowed to perform an armorer's disassembly.

F. Off-Duty Use

1. Off-duty MOS may carry a Department authorized firearm, concealed and loaded, within the State of New Mexico.
2. MOS shall be armed with an authorized handgun when operating a Department vehicle whether on or off-duty.
3. Any carrying of an unconcealed firearm by an off-duty MOS shall be in conjunction with State Statute and City Ordinance. However, the MOS shall not wear or display any apparel, badge, insignia, or other item that represents the Department except when operating Department vehicles or when called upon in the performance of their duty.
4. Unnecessary reference to the fact that the MOS has a firearm in their possession should be avoided.
5. Off-duty MOS shall not carry any firearm into an establishment whose primary business is licensed to dispense an alcoholic beverage.
6. This policy is not intended to limit the rights of an officer to carry a firearm off-duty in the same manner as an unrestricted citizen, but rather to define the authorization to carry a firearm under the color of law.
7. MOS on cadet or FTO status are not authorized to carry an off-duty firearm under the color of law until satisfactorily completing a New Mexico certified law enforcement academy and field training program. This does not preclude MOS on cadet or FTO status from carrying a firearm in the same manner as an unrestricted citizen.

G. Firearms Safety

1. MOS shall not carry or be in immediate possession of a firearm on or off duty when they are impaired by alcohol.
2. MOS shall notify their immediate supervisor when using medicine that has the potential of impairing judgment or job performance.
3. MOS shall not store or leave a firearm in any place within the reach or easy access of a minor.
4. MOS shall utilize locking storage containers or gun locking safety devices to secure authorized weapons at home when they are not in use. MOS shall be responsible for providing storage containers or locking devices for privately owned Department authorized weapons.
5. All authorized firearms shall be carried in a safe and secure manner.
6. Removal of firearms from their holster or other carrying devices for other than authorized purposes is prohibited.
 - a. Authorized purposes include tactical use, training, qualification, inspection, cleaning, maintenance, or during the lawful discharge of an MOS's duty.
 - b. Any careless, negligent, imprudent, or casual use or display of a firearm may constitute grounds for discipline.
7. All firearms will be removed from Department vehicles before turning the vehicle over to maintenance or another non-sworn law enforcement MOS.



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G. Carrying Firearms on Commercial Aircraft

1. When conducting official business requiring the MOS to transport their firearm on commercial aircraft, the MOS shall contact the Federal Aviation Administration and the airliner used for conveyance to ensure adherence with the latest federal laws and regulations in effect.
2. MOS will be governed by regulations of the Federal Aviation Administration for carrying firearms on commercial airlines. However, airline personnel have the final authority and may require that an officer surrender a weapon before boarding or while on a commercial aircraft.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

BODY ARMOR

Section: 4
Chapter: 3
Article: 5

GENERAL STANDARD

The Department shall provide body armor for use to augment personal protection in conjunction with the practice of accepted safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound safety procedures.

STANDARDS AND PROCEDURES

A. Issuance of Body Armor

1. All body armor issued will be a minimum of type II-A classification as prescribed by the National Institute of Justice.
2. All sworn MOS shall be issued body armor.
3. Due to the nature of their assignment, Firefighter/EMT personnel may be issued body armor.
 - a. Firefighters/EMT personnel shall submit a memorandum requesting the use of body armor,
 - b. The memorandum shall be placed in their personnel file, and
 - c. Body armor shall then be issued.

B. Use of Body Armor

1. Body armor shall be worn whenever sworn MOS are in uniform except when a particular assignment dictates otherwise.
2. Non-uniformed sworn MOS are required to wear their issued body armor while engaged in field activities except:
 - a. When a Department approved physician determines that an MOS has a medical condition that would preclude use of body armor,
 - b. When the MOS is involved in undercover or plain-clothes work that his supervisor determines would be compromised by the use of body armor,
 - c. When the MOS is assigned to perform an administrative function, or
 - d. When the Chief of Police determines that circumstances make it inappropriate to mandate body armor.
3. Firefighter/EMT personnel who are issued body armor shall wear it during EMS calls.
4. MOS shall only wear Department approved body armor.

C. Care and Maintenance of Body Armor

1. Supervisors shall be responsible for ensuring that body armor is worn as required.
2. MOS are responsible for the proper storage of issued body armor in accordance with the manufacturer's instructions. MOs should perform daily inspection for signs of damage and wear.
3. MOS shall be responsible for cleaning issued body armor in accordance with the manufacturer's instructions.
4. MOS shall be responsible for reporting any damage or wear to the body armor, to their immediate supervisor.
5. Body armor that is worn or damaged shall be replaced or repaired by the Department. Body armor that must be replaced due to misuse by the MOS shall be charged to the MOS.

D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**TACTICAL RESCUE KNIVES**

Section: 4
Chapter: 3
Article: 6

GENERAL STANDARD

The Department recognizes that a knife or other edged instrument may be a necessary tool while conducting law enforcement duties. Officers may utilize these tools to perform emergency rescue or for other utility cutting purposes, and shall only be used for defensive purposes during exigent circumstances when their use is reasonable.

STANDARDS AND PROCEDURES

- A. On-duty officers may carry a tactical rescue knife on their person.
 1. The cutting edge of a tactical rescue knife is not to exceed five inches.
 2. Tactical rescue knives must be black in color or have a stainless steel finish.
 3. Tactical rescue knives must be secured in either a scabbard (fixed blade), or folded and secured by a clip or other fastening device to ensure officer safety, retention, and concealment of the blade segment from public display.
 4. On-duty officers may carry a folding knife in plain view, but it shall not be displayed in an offensive manner.
- B. Special Weapons and Tactics (SWAT) team members, while engaged in SWAT duties, may carry an edged instrument of a quality suitable for the task of those duties. SWAT members are either permitted to carry a fixed blade upon a load-bearing vest, or in any other manner of attachment deemed safe, as determined by the SWAT Commander.
- C. Tactical rescue knives are considered a utility tool used to accomplish law enforcement activities, and are not considered a weapon; however, officers may use a tactical rescue knife to protect their own life, or the life of another, in exigent circumstances when the use of deadly force is reasonable.
- D. A Use of Force Form shall be completed whenever a MOS uses a tactical rescue knife as a weapon.
- E. Any incident involving a MOS's injury or the injury of another by a tactical rescue knife shall be reported to a supervisor as soon as possible.
- F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

FLASHLIGHTS

Section: 4
Chapter: 3
Article: 7

GENERAL STANDARD

Flashlights shall be used for illumination purposes and shall only be used for defensive purposes during exigent circumstances, when their use is reasonable.

STANDARDS AND PROCEDURES

- A. Flashlights shall be used for illumination purposes and not as a defensive weapon, except when:
 1. Exigent circumstances exist and their use is reasonable, or
 2. An MOS has completed a Department approved training course in using the flashlight as a defensive weapon.
- B. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

CRIMINAL INVESTIGATIONS

Section: 5
Chapter: 1
Article: 1

GENERAL STANDARD

MOS assigned to investigate criminal offenses shall be responsible for conducting a complete and thorough investigation.

STANDARDS AND PROCEDURES

A. General

1. MOS shall be careful in their inquiries not to endanger unnecessarily the reputations of any person who may be the subject of a criminal investigation. MOS shall be courteous and considerate in speech and manner.
2. Investigative supervisors shall confer with patrol supervisors on all cases of importance occurring within this jurisdiction, unless such investigation is covert.
3. The Investigations Section shall provide resources, support, and equipment to investigate crimes beyond the capabilities of patrol MOS.

B. Special Considerations

1. Narcotics/Vice Investigations - MOS obtaining or investigating information regarding narcotic or vice allegations shall notify the investigations section via a Criminal Intelligence Report.
2. Violent Felony Crimes - An investigative supervisor may deploy a team of investigators to properly process and correlate information for a successful investigation.

C. The functions of any MOS tasked with the investigation of a reported crime are to:

1. Determine if a crime has been committed,
2. Locate, identify and acquire statements from witnesses, suspect(s) or victim(s),
3. Locate, identify, and process evidence/property,
4. Apprehend person(s) believed to have committed the crime, and
5. Assist with the adjudication of the defendant.

D. Preliminary Investigations

1. MOS called to a crime scene shall take reasonable steps to ensure the integrity of the investigative process.
2. MOS shall be responsible to notify and make requests to gain assistance from supervisors, field investigators or other MOS when necessary.
3. MOS shall conduct preliminary and/or follow-up investigations when assigned.
4. First arriving MOS who respond to a crime scene shall:
 - a. Take appropriate action to ensure safety of the scene.
 - b. Provide emergency medical care to person(s) in need.
 - c. Contain and control the scene from evidence contamination by controlling persons from entering or leaving the scene.
 - d. Identify, document and gather information from witnesses, suspects, and victims.
 - e. Prepare and submit a report.

E. In order to effectively utilize manpower and investigate crime, investigative sergeants shall review all reported criminal cases. Investigative sergeants shall:

1. Categorize the case by the type and name of the reported offense, suspects, and solvability factors, considering any possible or relevant trends and determine the solvability index by weighing the solvability factors.
2. Prioritize the case by determining the crime severity, uniqueness and magnitude of the offense, scope of effect on the public, and available resources.
3. Plot criminal activity on a City map.



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STANDARDS AND PROCEDURES**CRIMINAL INVESTIGATIONS**

Section: 5
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F. Follow-up Criminal Investigations

1. Investigators shall follow-up all assigned cases in a timely manner as prescribed in the Case Investigation Protocol.
2. An investigator shall:
 - a. Conclude a preliminary investigation, when necessary.
 - b. Become familiar with the offense report.
 - c. View all evidence seized and arrange to have it submitted to a crime laboratory for analysis, when required.
 - d. Contact the reporting MOS, witnesses, victim(s), and suspect(s) when appropriate.
 - e. Utilize appropriate specialized techniques, such as polygraph exams, psychological exams or surveillance.
 - f. Identify, locate and arrest the suspect(s) when appropriate
 - g. Communicate with the prosecuting attorney throughout the investigation, case filing and adjudication.

G. Patrol Section Felony Case Filing Process - When an MOS has completed an investigation of a felony crime, the MOS shall:

1. Prepare a felony case packet as prescribed by the District Attorney.
2. Obtain supervisory review and approval of the case packet.
3. Prepare and deliver a copy of the approved case packet, within two working days, to the District Attorney's Office.
4. Ensure that a representative from the District Attorney's Office signs a receipt for the packet. The receipt shall then be delivered to the records section.

H. Investigation Section Felony Case Filing Process- When an investigator has completed an investigation; the investigator shall prepare a felony case packet and a memorandum for the District Attorney's Office. The memorandum shall include:

1. The nature of the case,
 2. The case number,
 3. A summary of the case facts,
 4. A request for legal direction/assistance in the disposition of the case, and
 5. A statement requesting the District Attorney's Office to notify the investigating MOS should any other tasks necessitating investigation or follow-up be needed.
- I. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

PURCHASE OF EVIDENCE & PAYMENT FOR INFORMATION

Section: 5
Chapter: 1
Article: 2

GENERAL STANDARD

Investigations involving violations of the law sometimes require the purchase of evidence or the payment for information or related undercover operational expenses. The Department may provide for such expenditures but shall maintain stringent control over their use. PEPI expenditures shall be recorded in a manner to ensure that the funds are used only for authorized purposes. MOS shall make reasonable efforts to recover expended PEPI funds whenever possible.

STANDARDS AND PROCEDURES

- A. PEPI funding shall be allocated with the approval of the municipal governing body or as otherwise declared by law.
- B. Disbursements from the PEPI funds shall be made prudently by authorized MOS. PEPI funds shall not be used for MOS's personal use and only expended for the following purposes:
 1. Purchase of criminal evidence, i.e., illegal controlled substances or contraband;
 2. Payment to Cooperating Individuals (CI) for information during investigations involving violations of law;
 3. Expenditures for authorized undercover operations; or
 4. Flash and front money.
- C. Purchase of Criminal Evidence
 1. Undercover purchases shall be reasonably planned and executed. This process should include the following:
 - a. Contingencies for potential developments that may occur;
 - b. Obtaining the suspect's full identity, method of operation, associates, places frequented, vehicles utilized, etc., whenever possible;
 - c. Provisions for adequate auditory and/or visual surveillance prior to, during, and after the purchase;
 - d. Avoiding situations where a single MOS makes a buy without adequate surveillance;
 - e. Methods of communication (i.e., radio, hand signals, verbal trouble signals and rendezvous points);
 - f. Obtaining a pre-delivery sample when possible to ensure that the substance is what it is purported to be; and
 - g. Limiting CI buys to a minimum by utilizing MOS or other law enforcement personnel to effect a buy.
 2. When the purchase cannot be made by a law enforcement officer, the purchase may be made by a CI under the following restrictions:
 - a. The CI shall be searched prior to and immediately following the purchase for money, weapons and any contraband;
 - b. The CI's vehicle, if used, shall also be searched prior to and immediately following the purchase;
 - c. Surveillance shall be maintained on the CI throughout the buy;
 - d. The CI shall sign all expenditure report forms relevant to his involvement in the purchase; and
 - e. The CI shall submit a written report, generally within 24 hours, or the MOS shall submit a written report that shall be signed by the CI.
 3. The amount of payment for evidence shall not exceed the evidentiary value received.
 4. In the event the purchased evidence is subsequently found not to be criminal evidence, the transaction will not be considered a loss of funds provided that, in the judgment of the Director, there was no obvious negligence on the part of the MOS involved.
- D. Payments to Cooperating Individuals
 1. CI's who are paid for information shall be registered with the Department, unless otherwise authorized by the Director.
 2. If the Director waives Department CI registration, the Director shall place a written directive in a CI File.
 3. The amount of payment for information should correspond to the value of the information received.
 4. Whenever possible, the Unit Sergeant should meet with the CI when payments are made.



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STANDARDS AND PROCEDURES

PURCHASE OF EVIDENCE & PAYMENT FOR INFORMATION

Section: 5
Chapter: 1
Article: 2

E. Expenditures for Authorized Undercover Operations

1. Meals and Beverages

- a. Expenditures for food or beverages during normal meal times, based upon the MOS having to work unusual hours, or stemming from liaison conferences, are not reimbursable.
- b. Expenditures for food or beverages may be reimbursed if the purchase can be justified as being necessary to the investigation. An expense report shall document the items purchased, name and address of the establishment, and the date and time the costs were incurred.

2. Undercover Operational Expenses

- a. Rentals, purchases, and services required to further an investigation must be authorized by the Section Supervisor.
- b. The cost of personal comfort items such as toiletries, prescriptions, clothing, luggage, etc., are not reimbursable.
- c. Any proposed covert lease of an apartment, home, or other real estate for undercover purposes must be approved by the Director.

F. Payments Authorized From PEPI Funds

1. Payments to a CI for information regarding violations of law may be made only when the investigation could not have been resolved without the purchase of the information.
2. Payments for the purchase of evidence may be made only when investigating violations of law and where the purchase of such evidence increases the opportunity for a successful prosecution of the violation, the target of the investigation has been identified sufficiently to enable the filing of criminal charges, and the location of the suspect is reasonably known.
3. MOS, generally two MOS, shall prepare and verify a photocopy money list indicating the denomination of each bill, its serial number and series prior to the expenditure.
 - a. The total value of the bills of each page shall be indicated at the bottom along with the MOS's initials and date, and the grand total shall be indicated on the final page.
 - b. The money list shall also include the case number on each page and each page shall be numbered while indicating the number of the total pages (e.g., Page 1 of 3).
 - c. In the event a portion of the funds is not expended, the money list shall be made part of the investigation file, and the bills that were used shall be circled.
4. All unexpended funds shall be returned to the Unit Sergeant as soon as practical. The Unit Sergeant shall issue the MOS an expense report indicating such funds were returned.

G. Dispersing Funds - Authority and Limitations

1. The Director shall authorize those MOS who may expend PEPI funds.
2. The Unit Sergeant, or his supervisor in his absence, is authorized to distribute funds to authorized MOS and receive advances from the PEPI account.
3. The Unit Sergeant or authorized MOS shall not hold more than \$1000.00 in advanced funds unless otherwise authorized by the Director.
4. When an MOS is authorized to exceed the limit of advanced funds but does not utilize those funds, said funds shall be returned as soon as practical.
5. Authorized MOS shall not expend funds that exceed more than \$500.00 to any one individual within a twelve-month period unless otherwise authorized by the Director.

H. Accounting for PEPI Funds

1. Funds shall be advanced by the Finance Department by check drawn upon the DPS Enforcement Aid Fund, account classification number 280-000-5-04319.
2. The Unit Sergeant shall:
 - a. Receive funds from the Administrative Manager or authorized designee and sign a receipt acknowledging the advancement,



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PURCHASE OF EVIDENCE & PAYMENT FOR INFORMATION

Section: 5
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- b. Chronologically record all financial transactions and maintain such transactions in the CHIEF'S Buy Money Fund Tracking System,
- c. Maintain a receipt book indicating all advances and expenditures, to include a copy of each expense report,
- d. Be subject to accountability for PEPI funds at any time.
3. A quarterly audit of the PEPI account shall be performed by the Administrative Manager to evaluate the integrity of the fund, and the need for any additional controls.
4. An annual audit of the PEPI account shall be performed by an independent accounting authority from outside the City to evaluate the continued integrity of the fund, and the need for any additional controls.
5. All receipts, expense reports, and transaction reports shall be filed in a ledger file maintained by the Administrative Manager.

I. Safekeeping of PEPI Funds

1. When not being utilized, PEPI funds shall be secured in a locked container.
2. Under no circumstances are advanced funds to be co-mingled with personal or other funds. Advanced funds shall not be in a bank account in the MOS's name.
3. In the event a theft, loss, misuse, or misappropriation is suspected, the facts and circumstances shall be reported to the Director immediately and an internal investigation shall be conducted.

J. Investigative Expense Report Form

1. MOS shall complete the Investigative Expense Report Form as soon as possible upon the expenditure of any PEPI funds.
2. The form shall be signed by the MOS making the expenditure and the supervisor who approved the expenditure. Any returned funds shall be indicated in the remarks section of the expense report.
3. CI's shall be required to sign the last copy of the Investigative Expense Report Form when receiving payment for information or handling funds for the purchase of evidence.
4. The Unit Sergeant, upon completion of the Investigative Expense Report Form, shall assure the proper distribution of the form copies to:
 - a. Case file,
 - b. Ledger file,
 - c. CI file, and
 - d. A photocopy for the MOS.
5. MOS shall maintain a personal file containing a record of all PEPI fund transactions and copies of all relevant receipts and forms.

K. Recovery of PEPI Funds

1. All PEPI funds recovered during an investigation shall be verified with the money list.
2. Upon positive identification of PEPI funds, the appropriate prosecutor shall be consulted to determine their evidentiary value.
 - a. In the event the prosecutor determines there is a need to preserve the recovered PEPI funds for trial, then the funds shall be held as evidence pending adjudication.
 - 1) Upon adjudication, a court order shall be obtained directing return of the funds to the Department.
 - 2) The Unit Sergeant shall return the funds to the Finance Department; obtain a receipt and place the court order into the ledger file.
 - b. In the event the recovered PEPI funds are not needed as evidence, they shall be photocopied.
 - 1) MOS shall make a photocopy in the presence of a witness and shall sign and date the copy prior to its placement into evidence.
 - 2) The recovered PEPI funds shall then be processed as abatement into the DPS Enforcement Aid Fund or used as advanced funds.
- L. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

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Chapter: 1
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JUVENILE CASE INVESTIGATIONS

GENERAL STANDARD

Due to the special nature of juveniles, MOS shall adhere to the Children's Code and regulations adopted by the appropriate State agencies.

STANDARDS AND PROCEDURES

- A. All matters of child neglect or abuse shall be investigated and referred to the District Attorney's Office and Children, Youth and Family Department. An MOS shall:
 1. Notify the on-duty supervisor of the incident to request an investigator,
 2. Take the necessary steps to ensure the safety of the child,
 3. Conduct a cursory interview of a child under 15 years of age,
 4. Conduct a preliminary investigation pursuant to procedure, and
 5. Notify the Children, Youth and Family Department through their Statewide Centralized Intake at 841-6100 within 24 hours.
- B. All matters of delinquent acts as defined in the Children's Code shall be referred to the Juvenile Probation Office and shall be in accordance with NMSA 32A-2-14. These acts shall include, but are not limited to:
 1. Driving while under the influence of intoxicating liquors/drugs,
 2. Driving while suspended or revoked,
 3. Reckless driving or failure to stop in the event of an accident,
 4. Injuring, tampering or unlawful taking of a motor vehicle,
 5. Any altering or forging of a drivers license or permit or any making of fictitious license or permit,
 6. Any offense punishable as a felony,
 7. Any alcohol related offense,
 8. All status offenses, and
 9. Escape from custody.
- C. All traffic offenses committed by a juvenile shall be referred to Municipal Court, except those listed under sub-section B or any acts committed along with those listed in sub-section B.
- D. Detained Juveniles
 1. Juveniles, under the age of 13 years, who have been detained for a criminal or status offense shall not be fingerprinted or photographed.
 2. Juveniles who are arrested shall be advised of the Children's Advice of Rights.
 - a. When interviewing a juvenile witness or suspect, MOS should limit the number of law enforcement personnel to just one interviewer or interrogator.
 - b. If there is a need for long or multiple interviews/ interrogations, a reasonable number of breaks should be provided to the child with a legitimate opportunity to clear their mind and if possible, get some rest.
 - c. When reciting the Juvenile Advice of Rights (Miranda) warnings to a child, the best practice is to read each warning slowly and one at a time. After each warning, the child should be asked to explain it in his or her own words. This is the only way that an officer can be satisfied that the child has a solid understanding of his or her own rights.
 - d. Whenever possible, MOS shall explain the Department and JPPO procedures to the juvenile as well as their parents.
 3. Juveniles under the age of 15 should have a parent, guardian or legal representative present before questioning.
 4. The juvenile and the parent or legal guardian, if present, should be asked to sign a juvenile Miranda acknowledgement and rights waiver.
 5. When an MOS has contacted a juvenile 13 years of age or older who is a self-admitted gang member, and who has given voluntary consent to



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the MOS, the MOS may obtain a photograph of the juvenile. The photograph shall be submitted to the Gang Enforcement Team.

6. When a juvenile is detained, or a runaway is located, an MOS shall make a diligent effort to notify the legal custodian(s) of the juvenile within one hour of detainment.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

OBTAINING NON-PUBLISHED TELEPHONE NUMBERS

Section: 5
Chapter: 1
Article: 4

GENERAL STANDARD

Non-published telephone numbers shall only be obtained by MOS when the number is needed for an emergency, or pursuant to a subpoena.

STANDARDS AND PROCEDURES

A. MOS shall only obtain non-published telephone numbers from the phone company when:

1. Pursuant to court order, or
2. One of the following emergency conditions exists:
 - a. Imminent threat to life or limb,
 - b. Imminent threat of substantial damage or destruction of property,
 - c. The urgent necessity of contacting or attempting to contact next of kin when the death of a person or serious injury to a person has occurred, or
 - d. The urgent necessity of establishing the identity of an unidentified person.

B. When the information has been released on an emergency basis, the MOS shall submit a letter to the phone company within five working days. The letter shall be typed on Department stationary and include the:

1. Name of the officer receiving the information,
2. Nature of the emergency situation,
3. Information requested and received, and
4. Signature of an MOS of command rank.

C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

WORTHLESS CHECK CASES

Section: 5
Chapter: 1
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GENERAL STANDARD

Worthless check cases shall be filed in the appropriate court for prosecution.

STANDARDS AND PROCEDURES

- A. MOS shall provide victims with an approved district attorney worthless check package when the worthless check or combination of checks is \$25.00 and more but less than \$500.00.
- B. Any check or combination of checks less than \$25.00 shall be handled as a petty misdemeanor in a municipal court.
- C. Any check or combination of checks amounting to \$500.00 or more shall be handled as a felony case investigation and forwarded to the district attorney.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**WAIVER OF PROSECUTION**

Section: 5
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GENERAL STANDARD

When filing a waiver of prosecution, MOS shall prepare the proper documentation and submit it through the appropriate channels.

STANDARDS AND PROCEDURES

A. MOS requesting to waive prosecution on a Pro Se case shall:

1. Obtain approval from their immediate supervisor; and
2. Forward a written memorandum to the appropriate court which, includes:
 - a. The case number,
 - b. The criminal complaint or citation number,
 - c. The defendant's name,
 - d. The reason for waiving prosecution, and
 - e. The officer's name and signature.

B. MOS requesting to waive prosecution on an attorney trial shall:

1. Obtain approval from their immediate supervisor; and
2. Forward a written memorandum to the prosecuting attorney which, includes:
 - a. The case number,
 - b. The criminal complaint or citation number,
 - c. The defendant's name,
 - d. The reason for waiving prosecution, and
 - e. The officer's name and signature.

C. When a MOS receives a request from a Complainant to waive prosecution in a municipal, magistrate or district court matter, MOS shall:

1. Have the complainant fill out the Waiver of Prosecution Form, and
2. Forward the form to the appropriate prosecuting attorney.

D. This procedure shall be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

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WARRANT SEARCHES OF STRUCTURES

GENERAL STANDARD

MOS executing a search warrant shall do so in a manner to accomplish a thorough and legal search, minimize the level of intrusion, protect the constitutional rights of person(s) being served the warrant, provide a high degree of safety for all persons present, and document the entire process.

STANDARDS AND PROCEDURES

A. Uniform and Equipment Requirements

1. The search team should consist of at least one uniformed MOS. All non-uniformed MOS and supporting personnel should be clearly identified as search team members either by displaying their badge of office, or some other readily visible indicator.
2. All initial-entry search team members shall be equipped with body armor and a firearm.
3. Appropriate safety equipment and clothing shall be utilized when either hazardous or potentially hazardous conditions exist.

B. A search warrant shall be executed as soon as practical. Situations which may necessitate a delay in executing a search warrant include, but are not limited to:

1. The need to have many searches occur at the same time, requiring coordination and mobilization of law enforcement resources,
2. The items to be searched for have not arrived at the search site,
3. The probability that substantial resistance will be encountered and additional resources will be needed,
4. A particular person(s) is absent from the search site, and the search would be best conducted if that person(s) were present, and
5. The need to protect an informant's identity.

C. A search warrant shall be served between the hours of 6:00 a.m. and 10:00 p.m., according to local time, unless the issuing judge, by appropriate provision in the warrant, and for reasonable cause shown, authorizes its execution at any time.

D. The search warrant shall be executed within 10 days after the date of issuance.

E. The MOS seizing property under the warrant shall give to the person from whom or from whose premises the property was taken a copy of the affidavit, the search warrant and the inventory of the property taken or shall leave the copies at the place from which the property was taken.

F. Preparation for Execution of a Search Warrant

1. One MOS shall be designated as the team coordinator and shall be responsible for supervising the activities of the search team.
2. The team coordinator shall be responsible for ensuring that the search warrant is valid by reviewing the affidavit for sufficient probable cause and that the affidavit and search warrant have been signed by appropriate officials.
3. The team coordinator shall be responsible for ensuring that the premises about to be searched are the actual premises listed on the warrant.
4. The team coordinator shall conduct a pre-entry briefing of the execution process with all search team members.
 - a. The briefing shall include a review of the actual order of operations and procedures the search team shall follow.
 - b. Maps, charts, photographs, and diagrams should be used to simulate the conditions of the place to be searched.
 - c. Forced entry tactics and equipment shall be reviewed in the event forced entry is necessary.
5. The team coordinator shall attempt to determine if any circumstances have changed which would make executing the search warrant at that time undesirable.
6. The team coordinator shall ensure that the entire search warrant execution process is documented. The written record shall be supported by photographing or videotaping the search. Evidence to be seized should be photographed or videotaped in the location and condition they were discovered.

G. Entry Guidelines

1. The approach to the scene shall be made discreetly and without the use of sirens.
2. When a pre-entry surveillance team has been established, contact shall be made to ensure that it is an appropriate time to serve the search warrant.



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WARRANT SEARCHES OF STRUCTURES

3. No search team member shall attempt to make contact with the occupants of the search premises or to execute the search warrant until authorized to do so by the team coordinator.
4. A sufficient number of individuals shall comprise the search team to effectively and efficiently perform the search. Individuals not directly involved in the search should not be allowed to enter the premises.
5. All exits from the premises shall be observed to preclude the escape of persons or evidence.
6. After knocking on the door or otherwise gaining the attention of the occupant(s) of the search premises, the team coordinator, or uniformed MOS, in a loud voice should announce that he is a police officer and that he has a warrant to search the premises.
7. A "no-knock" entry shall only be made when exigent circumstances exist.
8. Search team members who are not authorized to carry a firearm in the line of duty shall not be armed, and shall make secondary entry only after the initial-entry team has announced it is safe to do so.

H. On-Premises Activities

1. The entry team shall ensure that a security sweep of the premises is made immediately upon entering the premises.
2. When the premises to be searched has been secured,
 - a. The owner of the premises, or his agent when present, shall be given a copy of the search warrant;
 - b. Occupants of the premises shall be identified and directed to a central location where they will not interfere with the search operation. All occupants shall be treated with courtesy and in a professional manner. Only reasonable force will be used to gain compliance from uncooperative individuals;
 - c. Detained persons may be frisked for weapons only when facts are present supporting reasonable suspicion that they are armed or dangerous; and
 - d. At least one member of the search team shall be assigned to remain with the occupants and maintain observation over their activity.
3. Conducting the Search
 - a. The search shall be conducted in an orderly manner to ensure that all probable areas of concealment are searched for evidence.
 - b. A location not capable of concealing specified evidence shall not be searched.
 - c. Reasonable care shall be taken by all members of the search team to prevent unnecessary damage to the premises or its contents. The contents of the premises shall be disturbed as little as possible, but nothing shall preclude the search team member from moving items necessary to gain access to areas where evidence might be concealed.
 - d. Locked boxes, cabinets or other containers shall not be forcibly opened until a reasonable attempt to gain entry by other means has failed.
 - e. One search team member shall be designated as responsible for collecting, marking, packaging and documenting all evidence seized until possession is transferred to the evidence custodian.

I. Upon Completion of the Search

1. A complete list of evidence seized shall be maintained and recorded on the Return and Inventory form and forwarded to the appropriate court.
 2. Any damage to the premises that occurred during the entry or the search shall be documented. The report shall state how the damage occurred and give a detailed description of the damage.
 3. In the event the premises cannot be reasonably secured and it will be left vacant, a guard shall be posted until such time that it is secured.
- J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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MOTOR VEHICLE SEARCHES

Section: 5
Chapter: 1
Article: 8

GENERAL STANDARD

MOS shall only conduct motor vehicle searches that are legal and thorough with due regard for the safety of all parties and property involved. Whenever practical, MOS should obtain a search warrant before conducting a search of a motor vehicle or containers within. The constitutional rights of the owner and occupants of the motor vehicle being searched shall be preserved.

STANDARDS AND PROCEDURES

A. Vehicle searches may be conducted under the following circumstances:

1. A warrant has been obtained.
2. MOS has reasonably determined that exigent circumstances exist.
 - a. For the purpose of this policy, exigent circumstances is defined as an emergency situation requiring swift action to prevent imminent danger to life or serious damage to property, or to forestall the imminent escape of a suspect or destruction of evidence.
 - b. The mobility of a motor vehicle, in and of itself, does not constitute exigent circumstances.
3. Consent has been granted by the owner or operator of the vehicle,
4. A protective sweep for weapons that may harm the MOS or the public is necessary while applying all relevant case law, or
5. Examination of the vehicle's identification number to determine ownership is necessary.

B. Scope of Motor Vehicle Searches

1. When searching with a warrant, MOS may search all areas of the vehicle unless the warrant states otherwise.
2. Searches conducted under exigent circumstances may extend to all areas of the vehicle where it is reasonably believed that persons, contraband, or evidence related to the exigent circumstances may be located.
3. The extent of a consent search depends upon the terms of the consent itself. If the consent is limited to specific areas of the vehicle, MOS may search only portions of the vehicle covered by the consent.
 - a. If probable cause develops while conducting a consent search, MOS may expand the search while applying all relevant case law.
 - b. MOS should obtain written and recorded consent before conducting consent searches.
4. Entries made to examine the vehicle's identification number or to determine the ownership of the vehicle must be limited to actions reasonably necessary to accomplish these goals.
5. All searches of a motor vehicle shall be reasonable and adhere to relevant case law.

C. Search of Containers Found in Motor Vehicles

1. MOS shall only search containers found within motor vehicles when probable cause exists that evidence or contraband may be found within, or pursuant to the Department's policy on administrative vehicle inventories.
2. While conducting a consent search, containers may be opened if the terms of the consent permit that a particular container may be opened.
3. MOS may search containers found within motor vehicles when reasonable suspicion exists that information can be obtained to protect life.

D. Location and Time of Search

1. Searches of motor vehicles, and containers located within, should be conducted at the location it was discovered or detained, when practical.
2. When it is not practical to conduct a search of a vehicle at the location it was discovered or detained in lieu of a search warrant, the vehicle shall be towed to an appropriate location such as a Department facility.
 - a. When a vehicle is to be relocated to a Department facility for investigative purposes, the requesting MOS shall seek approval from an on-duty supervisor.
 - b. Prior to relocating the vehicle to a Department facility, the MOS or on-duty supervisor shall notify a Criminal Investigations Section supervisor.
3. Searches shall be conducted as soon as reasonably possible and with adequate MOS to conduct a thorough search with due regard for the safety



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of all MOS, citizens, and property involved.

E. Conduct of the Search

1. Vehicle searches shall be conducted in a reasonable manner to minimize the intrusiveness of the search and the inconvenience caused to the vehicle owners, occupants and other persons involved.
2. Damage to vehicles or other property during the course of a search should be avoided. Where unavoidable, damage should be confined to that area reasonably necessary to carry out a safe and thorough search. The damage shall be documented in an incident report and photographed.

F. Security of Motor Vehicles and Property

1. If a search of a vehicle leaves the vehicle or any property therein vulnerable to unauthorized entry, theft or damage, MOS shall take steps reasonably necessary to secure the vehicle or property.
2. MOS shall notify their immediate supervisor of the situation before leaving any vehicle in this condition.

G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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EVIDENCE AND PROPERTY CONTROL**GENERAL STANDARD**

Evidence and property shall be properly secured and stored. Any changes in its custody shall be fully documented.

MOS shall not convert to their own use, manufacture, conceal, falsify, destroy, remove, tamper with, or withhold any property or evidence in connection with an investigation or other public safety function.

DEFINITIONS

BEAST: Barcoded Evidence Analysis Statistics and Tracking Property/Evidence Management System

STANDARDS AND PROCEDURES

A. MOS collecting evidence or property shall be held accountable for the proper preservation and safeguarding of evidence until it has been turned into the evidence technician. Procedures established for the handling of evidence shall be strictly followed.

1. Evidence should be photographed, with and without an instrument depicting centimeters or inches, and analyzed or measured at any scene before its collection when applicable.
2. MOS shall not disturb evidence found at the scene of the crime before its proper handling. There are exceptions, however, such as making the scene safe for MOS. When evidence is disturbed, it shall be reported to the MOS in charge of the scene and it shall be documented.
3. To preserve the full legal value of evidence, care must be taken that:
 - a. The examining agency receives the evidence in the quantity and condition necessary for a proper examination, when possible.
 - b. The chain of custody shall be maintained. Evidence should pass through the control of as few persons as possible and never outside the control of properly designated persons.

B. The evidence technician shall be responsible for receiving, storing, maintaining, releasing and accounting for evidence and property.

C. Processing Evidence

1. MOS shall log all items into the BEAST and affix labels to each item.
2. MOS shall safeguard, tag and deliver all physical evidence or property to the evidence lockers as soon as practical and without unnecessary delay. If the evidence is too large to be stored in the evidence lockers, MOS shall immediately notify the evidence technician or CID lieutenant.
3. Evidence of a hazardous nature shall be appropriately and safely packaged and stored. Such substances include, but are not limited to items that may have been exposed to or contaminated by communicable diseases, hazardous chemicals, waste products, explosives or highly combustible products.
 - a. The evidence technician shall be notified immediately when MOS are collecting evidence of a hazardous nature.
 - b. Where appropriate, the evidence technician shall make arrangements and assume responsibility for collection storage and control of such substances outside the evidence room.
4. MOS shall package all drugs (controlled substances, precursors) separate from other evidence (paraphernalia, rolling papers, weapons, etc). Drugs shall be weighed before packaging and again after packaging. The weight of the drugs with the packaging will be noted on the packaging. The weight of the package will be verified by an evidence technician upon intake into the evidence room.

D. Storage and Security of Evidence and Property

1. The Department shall provide a set of lockers capable of being locked for the secure storage of evidence and property.
2. The evidence technician shall be responsible for transferring and recording all evidence and property from the lockers to the evidence room.
3. The evidence technician shall assign a storage bin number to each item of evidence submitted and record this information in the BEAST system.
4. Evidence requiring added security (i.e., money, precious stones, jewelry) shall be stored in the safe in the evidence room.
5. Perishable evidence shall be stored in the refrigerator, located in the evidence room.
6. Only the evidence technician or a designee approved by the Chief of Police may authorize persons to enter the evidence room. An evidence



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EVIDENCE AND PROPERTY CONTROL

room log shall be maintained which identifies each person entering the evidence room.

E. Distribution of Evidence and Property Records

1. Once the evidence or property has been received by the evidence technician and secured, the evidence technician shall verify the items submitted through BEAST before storing in the evidence room.
2. Upon final release or destruction of evidence or property, a property receipt shall be filed in a binder and stored in the evidence room.

F. Handling Evidence

1. Evidence must be carefully handled so that its evidentiary value is not impaired. A crime laboratory should be consulted by telephone if there is any question of its handling.
2. When blood stains, body fluid stains, or other stains of evidentiary value become a part of other objects, such as walls, floors, furniture, automobiles, etc. and are difficult to remove, the MOS in charge may request outside agency assistance.
3. Care must be taken to avoid the introduction of misleading physical traces on a surface to be examined for fingerprints, such as the fingerprints of any MOS.
4. Evidence, particularly glass, paper, china, and similar items, must be protected from physical damage. Unless evidence is carefully handled and packaged, fingerprints, palm prints, tool marks or other traces could be destroyed.

G. Preventing Chemical Changes and Contamination

1. Perishable evidence, particularly blood and other substances of human origin must be protected against chemical change and contamination.
2. Perishable evidence shall be delivered promptly to the examining agency.
3. Stained evidence (i.e., blood, semen, saliva) should be air dried naturally and completely. Under no circumstances should blood or other perishable evidence be subjected to unnecessary heat or exposure to sunlight.
4. Blood collection kits shall be handled in accordance with relevant policies and procedures.

H. Marking and Preserving Evidence

1. MOS who come into possession of evidence shall promptly mark it for future identification and secure it against tampering. Such markings should be done so as not to impair the value of the evidence or prevent its processing.
2. Evidence that is to be examined or analyzed shall be placed in a thoroughly clean and dry container.
3. No wet or soiled envelope, container, wrapping paper or cork will be used.
4. Different articles shall be packed separately.
5. Liquids shall be sent in a glass container, and the container carefully wrapped.
6. Articles to be examined for fingerprints shall be carefully packed to avoid breakage and to avoid exposing the fingerprints to friction from the wrapper. Do not wrap items in plastic as this may destroy any potential latent prints.
7. Evidence that may lose some of its properties through exposure to air shall be sealed in its container with tape.
8. Evidence that may lose some of its value due to friction shall be packaged securely and carefully to avoid unnecessary movement within its container.

9. Photographs

- a. If a 35mm camera is used to document evidence and the film does not need to be developed, then such documentation needs to be noted on the BEAST submission form.
- b. In the event a digital camera is used, MOS shall create a master disc using a CD-R or DVD-R. Transfer of images to the master disc shall be conducted as soon as reasonably possible. The master disc will contain accurate and complete replica of the primary images.
- c. A working copy of a master disc may be made as necessary to create other copies for review, to enhance or clarify images, or to provide to the District Attorney Office or other law enforcement agencies or entities.



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- d. Once the master disc has been created and the successful transfer of all images is complete, the digital memory card or primary imaging device may be erased, or wiped and reused.
- e. MOS entering photograph evidence for a crash shall obtain an incident number separate from a crash report number. The crash number will be referenced on the BEAST submittal form.
- f. MOS shall place the film, disposable camera or master disc, with a BEAST label, in the small item drop slot next to the evidence lockers.

I. Documentary Evidence

- 1. MOS shall safeguard fingerprints and other evidence on papers and letters involved in blackmail, kidnapping and extortion or which contain libelous, obscene or otherwise annoying matter.
- 2. If a series of such letters are received, the complainant will be requested to promptly bring subsequent letters, unopened, to the assigned MOS.
- 3. Suicide Letters
 - a. Suicide letters shall be treated as confidential and shall not be divulged or disseminated for publication.
 - b. A copy of any letter may be delivered to the medical examiner upon request.
 - c. After determining the death is a suicide, copies of letters may be released to the person(s) addressed in the letter.
- 4. When entering counterfeit money into evidence, MOS shall note in BEAST the name of the person last in possession of the counterfeit money.
- 5. Mutilated Money
 - a. United States paper currency, which has been marked with tracing powder or dye and is no longer required as evidence shall be placed in an envelope, marked "Mutilated Money - Contains Stained Material Use Care in Handling."
 - b. The owner shall be asked to deliver it to a bank for redemption. However, if the money was supplied by the Department, MOS shall have it redeemed.

J. Weapons and Ammunition

- 1. Firearms or other weapons found or received by a MOS shall be maintained in the same condition as when found.
- 2. The weapon shall not be unnecessarily handled nor the mechanism of a firearm interfered with, except as necessary to safeguard against discharge.
 - a. Blood or rust shall not be removed.
 - b. MOS should personally deliver the weapon to the evidence technician, or if the weapon can be secured safely, it may be secured in the evidence lockers.
 - c. The collection of firearms for safekeeping is discouraged. All efforts shall be made to have a responsible party take possession of weapons for safekeeping.

K. Property

- 1. When any property is delivered to the evidence locker, it shall be promptly removed by the evidence technician unless immediately required in court as evidence or returned to the claimant at the station.
- 2. At no time will evidence or property seized in connection with an arrest and found in the possession of one person be grouped together on the same property record with that evidence or property seized from other persons. Items recovered will be entered into the BEAST by person.
- 3. When submitting narcotics, dangerous drugs or paraphernalia each item shall be entered separately and in detail. The various kinds of narcotics with the exact weight of each shall be specified. However, when submitting marijuana plants, the approximate size, height and width, shall be specified.
- 4. When property belonging to an unknown or unidentified person is forwarded to the evidence technician and the owner's identity is later established, MOS shall report the facts to the evidence technician.

L. Recording Transfers of Custody



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EVIDENCE AND PROPERTY CONTROL

1. The evidence technician shall be responsible for documenting all changes of custody of physical evidence and property in the BEAST system.
2. MOS who assume custody of physical evidence from the evidence room bear full responsibility for ensuring its proper security, storage, maintenance, and for the ready retrieval of such evidence upon demand.
3. Should a court retain custody of evidence, MOS shall promptly notify the evidence technician.

M. Disposal of Evidence and Property

1. When no longer needed for evidentiary purposes or when ordered to do so by a court, all evidence and property shall be returned to its lawful owner, unless:
 - a. Title to the evidence or property is transferred to the Department by court order,
 - b. The lawful owner fails to claim the evidence, or
 - c. The evidence is contraband.
2. When evidence is not returned to its owner the Department may:
 - a. Destroy it,
 - b. Dispose of it by public auction, or
 - c. Retain it for Department use.
3. Once authorization is received from the court for disposal of evidence the following shall take place:
 - a. The Chief of Police or his designee may assign an MOS to monitor the entire destruction process.
 - b. Evidence technicians will compile all the evidence identified on the document for disposal.
 - c. The CID Lieutenant shall inspect and verify the evidence to ensure it matches the court document.
4. The items will be disposed utilizing the following process:
 - a. Auction items will be auctioned in accordance with state statute or court order. Copies of the documentation for auctioned items will be retained in the evidence room for future reference if needed.
 - b. Drug evidence shall be destroyed in the following manner:
 - 1) Two MOS shall package or re-package evidence to be destroyed.
 - 2) A third party auditor, designated by the Chief of Police, shall witness the process.
 - 3) Once the package has been sealed, all three parties shall initial the seal to insure the integrity of the package.
 - 4) The receiving party has the right to refuse the package if the integrity of the package has been compromised.
 - c. Guns and contraband shall be destroyed. A log of these items will be maintained in the evidence room. A minimum of two MOS shall transport the items for destruction and witness the destruction. If utilizing an outside agency for destruction, the disposing agency must sign the log, verifying the guns or contraband have been destroyed.
 - d. If utilizing an outside agency, evidence technicians will monitor and inventory the loading of items to be destroyed. A minimum of two MOS shall accompany the items to the destruction site, and observe the destruction process.
 - e. Guns and drugs may be retained or converted for Department use if authorized by court order.
5. After the completion of the destruction process, MOS shall submit a report to the Chief of Police, which shall include:
 - a. The date, time and location of the destruction,
 - b. An inventory of the items destroyed,
 - c. A list of those present at the destruction, and



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- d. If any discrepancies are found, the assigned MOS shall immediately notify the Chief of Police, who shall initiate an appropriate investigation.

N. Audits

1. A scheduled audit shall be conducted quarterly. Audits will address guns, money, drugs, and destroyed/returned items.
 2. Random drug testing on drug evidence may be conducted. If any discrepancies are found before the drugs are destroyed, the assigned investigator shall immediately notify the Chief of Police, who shall immediately initiate an appropriate investigation.
 3. Unannounced random audits may also be conducted throughout the year.
 4. A report of findings will be forwarded to the Chief of Police.
- O. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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COOPERATING INDIVIDUALS

Section: 5
Chapter: 1
Article: 10

GENERAL STANDARD

MOS shall adhere to sound procedures when dealing with cooperating individuals (CI's) to avoid any misconduct that might undermine the effectiveness of investigations and criminal prosecution.

STANDARDS AND PROCEDURES

A. Cooperating Individual File System

1. Two separate files shall be maintained, a "reliable" and an "unreliable" Cooperating Individual File.
2. The supervisor in charge of the criminal investigation function shall be responsible for developing and maintaining master CI files and an indexing system.
3. A file shall be maintained on each CI used by MOS. Each file shall be coded with an assigned CI control number and shall contain the following information:
 - a. Subject Data Sheet,
 - b. Records of payment,
 - c. CI's photograph, fingerprints, and criminal history record,
 - d. Briefs of information provided by the CI and its subsequent reliability and credibility,
 - e. Signed and initialed Cooperating Individual Agreement, and
 - f. Updated information on the active or inactive status of the CI.
4. CI files shall be maintained in a secured area within the criminal investigation section.
5. The two CI files shall be utilized in order to:
 - a. Provide a source of background information about CI's,
 - b. Provide a complete history of the information about CI's,
 - c. Enable review and evaluation by the appropriate supervisor of information given by the CI, and
 - d. Minimize incidents that could be used to question the integrity of investigators or the reliability of the CI.
6. Access to the CI files shall be restricted to the Director, supervisor in charge of investigations or their designee.
7. Sworn MOS may only review a CI's file upon written request and approval of the supervisor of criminal investigations. A copy of this request shall be maintained in the CI's file.

B. Use of Cooperating Individuals

1. Before using an individual as a CI, an MOS must receive initial approval from a supervisor with the rank of lieutenant or above.
2. The MOS shall compile sufficient information through a background investigation in order to determine the reliability and credibility of the CI.
3. After the MOS receives initial approval to use a CI, a CI file shall be opened.
4. All persons determined to be unsuitable for use as a CI shall be referenced in the Unreliable Cooperating Individual File.
5. MOS wishing to utilize an unreliable CI shall receive prior approval from the Director or his designee.

C. General Guidelines for Handling CI's

1. All CI's are required to sign, initial, and abide by the provisions of the Cooperating Individual Agreement before being used as a CI.
 - a. The MOS utilizing the CI shall discuss each of the provisions of the agreement with the CI.
 - b. The CI shall acknowledge understanding by initialing each provision.



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2. MOS shall not knowingly maintain a social relationship with CI's while off-duty or otherwise become personally involved with CI's. MOS shall not solicit, accept gratuities, or engage in any private business transaction with a CI.
 3. Whenever possible, an MOS shall always be accompanied by another MOS when meeting with a CI.
 4. Cooperating individuals who are juveniles shall only be utilized as an informational source with parental consent and signature, unless otherwise authorized by the Director.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

ARREST

Section: 5
Chapter: 2
Article: 1

GENERAL STANDARD

It is the standard of the Department that all arrests made by MOS shall be conducted professionally and in accordance with established legal principles. In furtherance of this standard, all MOS vested with arrest powers are expected to be aware of, understand, and follow current laws governing arrest. This policy sets forth the fundamentals of the arrest procedure.

DEFINITIONS

Arrest: Taking a person into custody.

Arrest warrant: A written order issued by a judge, magistrate, or other proper authority that commands a law enforcement MOS to place a person under arrest.

Probable cause for arrest: The existence of circumstances that would lead a reasonably prudent MOS to believe that a person has committed a criminal offense.

Investigative detention: Temporary detention of a person for investigative purposes based upon reasonable suspicion that the person has committed, is committing, or is about to commit a crime, under circumstances that do not amount to probable cause for arrest (also known as a *Terry stop*).

Reasonable suspicion: The degree of suspicion of criminal activity that justifies an investigative detention but not an arrest.

Citizen contact: A consensual encounter between a police officer and a citizen that may be initiated by the MOS for any reason and during which the citizen is free to leave at any time.

Exigent circumstances: Conditions, facts, or events that call for immediate aid or action. Law enforcement MOS invoke "exigent circumstances" in cases where they will be unable or unlikely to make an arrest or search and seizure for which probable cause exists unless they act swiftly and without seeking prior judicial authorization. Such emergency situations are those that "would cause a reasonable person to believe that entry (or relevant prompt action) was necessary to prevent physical harm to the MOS or other persons, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts." (*United States v. McConney*, 728 F.2d 1195, 1199 (9th Cir.), cert. denied, 469 U.S. 824, 105 S. Ct. 101 (1984)

Weapons display: Drawing a handgun, shotgun or other weapon for quick use if needed without pointing it at a suspect.

STANDARDS AND PROCEDURES

A. MOS shall conduct arrests only when based upon one of the following:

1. Probable cause, or
2. An arrest warrant.

B. Probable cause for arrest may be established by one or more of the following:

1. Observations of the MOS,
2. Information or evidence obtained during an investigative detention (*Terry stop*) or during a consensual citizen contact,
3. An identified citizen's specific complaint,
4. Information provided by a police informant of proven reliability, or
5. Information provided by other law enforcement sources.

C. MOS shall not make any arrest based solely upon the following:

1. Information received from an anonymous source.
2. Mere suspicion, not amounting to probable cause.

D. Arrest Warrants

1. Except when a warrantless arrest is justified by the existence of probable cause, arrests shall be made pursuant to an arrest warrant.
2. Arrest warrants shall be obtained from the judge, magistrate, or other legal authority empowered to issue such warrants in this jurisdiction.
3. Warrants shall be in the form prescribed by the laws of the State of New Mexico and shall adequately identify the person to be arrested. The warrant shall also provide such other information as is required by law.



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4. Any MOS to whom an arrest warrant is delivered shall examine it to ensure that it is in proper form, that all information required by law is provided, and that the warrant is valid on its face. The MOS shall also take note of any restrictions placed upon the arrest by the language of the warrant.
 5. Once received, an arrest warrant shall be executed without delay, except as otherwise may be required by the circumstances of the case.
 6. No arrest shall be made at a time or in a manner contrary to any express limitations upon the scope or language of the warrant.
 7. No arrest shall be made in a manner or at a time or place prohibited by any of the following:
 - a. Departmental standards,
 - b. State or local legislation, or
 - c. Applicable court decisions
- E. Arrest Planning
1. Wherever possible, arrests shall be planned in advance in consultation with a supervisor or other experienced MOS.
 2. Where advance planning and consultation is not possible, the arrest shall be made in accordance with the Department's arrest procedures.
- F. Informing Arrestee
1. The arresting MOS shall identify themselves, inform the suspect of his or her arrest, and specify the charges for which the arrest is being made.
 2. MOS not in uniform shall display their badge of office when making the arrest to ensure proper identification.
- G. Use or Show of Force During Arrest
1. MOS shall use only that level of force that they reasonably believe is necessary to make an arrest in accordance with the Department's policy on the use of force.
 2. Weapons shall be displayed during an arrest only where it is reasonably believed necessary to ensure the safety of the MOS or others and the successful completion of the arrest.
- H. MOS shall approach every arrest situation with the knowledge that any arrest, regardless of the offense involved may present an element of danger. Therefore, MOS making arrests shall take all reasonable precautions to ensure the safety of MOS involved. These precautions shall include the following:
1. Restraint of the arrestee,
 2. Search of the arrestee, and
 3. Protective sweeps of the premises or area where the arrest occurs to ensure that no other persons or weapons are present that may represent a danger to the MOS or the arrestee.
- I. Following the arrest, MOS shall not normally permit arrestees to leave the immediate area of the arrest for personal purposes. In exceptional cases where it is deemed necessary to grant the arrestee's request, the arrestee shall first be searched for weapons and then be accompanied and closely monitored by the arresting or other MOS.
- J. Location of Arrest
1. Whenever possible, arrests shall be made in a location where the arrest will not pose a threat to the safety of the public.
 2. Consideration shall be given to bystanders that may be injured should the arrestee offer resistance, particularly resistance involving the use of firearms.
- K. No MOS shall enter premises owned or occupied by a third person to make an arrest unless the MOS has a separate legal basis for entering the premises. Such a basis may be provided by any of the following:
1. Possession by the MOS of a search warrant for those premises,
 2. Consent of a person empowered by law to give such consent, or
 3. Exigent circumstances.



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L. All arrested persons shall be restrained and transported in accordance with the Department's policy on restraint and transportation of prisoners.

M. Post-Arrest Protection of MOS, Arrestees, Victims, and Bystanders

1. MOS shall be aware that, following an arrest, they are legally responsible for the safety of the arrestee, any victims present, and all bystanders. Therefore, MOS shall take all steps reasonably necessary to protect:
 - a. The MOS from the arrestee,
 - b. Victims and third persons from the arrestee, and
 - c. The arrestee from self-injury or injury by others.
2. MOS shall not allow victims into close proximity with the arrestee, and shall prevent bystanders from approaching the arrestee at the scene. In addition, MOS shall not allow the arrestee out of their immediate presence for any reason until the arrestee is properly secured and transported.

N. Identification of Minors or Dependent Children

1. Whenever it is safe to do so, MOS shall make the arrest away from the children, or at a time when the children are not present.
2. When MOS make an arrest, they shall inquire about the presence of children or other vulnerable individuals for whom the arrested adult has responsibility. If the arrest is made in a home environment, the MOS should be aware of items which suggest the presence of children such as toys, clothing, formula, bunk beds, diapers, etc.
3. Whenever it is safe to do so, MOS should allow the parent to assure his or her children that they will be provided care. If this is not safe, or if the demeanor of the in-custody parent suggests this conversation would be non-productive, the MOS at the scene should explain the reason for the arrest to the children in age-appropriate language.
4. When an arrest or search warrant is planned, the ages and likely location of the children shall be considered when determining the time, place and logistics of the arrest.
5. If children are present at the arrest, or if the arrested parent indicates the children are, or will be, at home without an adult caretaker, the MOS shall determine whether or not the other parent is available to care for the children. If not, the MOS shall attempt to locate an adult relative or adult fictive kin (a person not related by birth or marriage who has an emotionally significant relationship with a child) who is willing to take responsibility for the children. Preliminary criminal background checks of the alternate caregiver shall be completed. Any history of sexual crimes or violence against children shall make the adult ineligible to assume custodial care.
6. Prior to placing any child with an adult, other than the non-arrested parent, the MOS shall check with CYFD State Centralized Intake (SCI) at 1-800-797-3260 or 841-6100 (Albuquerque) for information on any child abuse or neglect history of the potential caregiver. SCI has a duty to verify the identity of the law enforcement officer.
7. If the non-arrested parent is not available, and the MOS is unable to identify another adult to care for the children, SCI can provide the MOS with contact numbers for shelters in the area closest to the place necessary.
8. If the MOS believes protective custody is necessary, SCI will notify the CYFD worker on-call. The CYFD worker will ask any MOS placing a child in protective custody to sign a "Statement of Reasonable Grounds for Emergency Custody."
9. If the children are currently in school, the responding MOS shall contact the school and advise the School Resource Officer, the school principal, or the principal's designee of the parent's arrest and his/her stated preference for placement.
10. The reporting MOS shall include the following in his or her report:
 - a. The names and contact information for the adults with whom a child is left,
 - b. The name of any CYFD worker(s) or school personnel contacted, and
 - c. The names and contact information for any family members identified whether or not the children are placed with them.

O. Search Incident to Arrest

1. MOS shall conduct a thorough search of the person arrested.
2. Any criminal evidence discovered during the search of the arrestee's person shall be seized and preserved in accordance with Departmental procedures.



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3. The search incident to arrest shall include not only the person of the arrestee, but also areas within the reach and control of the arrestee.
4. Strip searches shall not be conducted in the field except under extreme circumstances and with prior approval from a supervisor. Any officer conducting a strip search of an arrestee in the field shall be prepared to justify the reasons for such a search and to document those reasons in a subsequent written report.
5. Body cavity searches shall not be conducted in the field.
6. Whenever possible, searches incident to arrest shall be conducted by MOS of the same gender as that of the person being searched.

P. Mirandizing Arrestees

1. Arrestees shall be advised of their *Miranda* rights before any questioning.
2. A waiver of the *Miranda* rights must be obtained before any questioning of an arrestee.
3. Questioning arrestees that have waived their *Miranda* rights will be in compliance with State and local laws concerning audio and/or video taping the interview.
4. If the arrestee has not waived his or her *Miranda* rights, no questioning shall be conducted beyond that necessary to accomplish the booking procedure such as name, address, etc.
5. If the arrestee declines to waive his or her *Miranda* right to counsel, or if the arrestee, after waiving that right, elects to reassert it, questioning must cease immediately and no further questioning may be conducted unless:
 - a. An attorney representing the arrestee is present, or
 - b. The arrestee voluntarily initiates a further interview.
6. If the arrestee has not waived his or her *Miranda* rights, and even though the arrestee is not being directly questioned by MOS, they shall refrain from engaging in conversation among themselves in the presence of the arrestee that is calculated to elicit incriminating statements or admissions from the arrestee.
7. Constitutional safeguards, including those afforded under the 5th Amendment, must be afforded to non-speaking and/or hearing impaired persons.

Q. Any arrest that occurs while the MOS is off-duty shall be in conformance with the Department's policy on off-duty powers of arrest.

- R. All MOS shall be aware that the arrest, transportation, detention and booking of juveniles are subject to special legal requirements. Furthermore, children may have special constitutional rights as defined by state law. MOS shall be familiar with and observe these special requirements at all times when arresting juveniles.

S. When arresting an MOS of our, or another department, MOS shall:

1. Take all precautions and follow all procedures as provided by Department policy, and
2. Notify their immediate supervisor of the arrest of a Department MOS.

- T. MOS shall issue citations in lieu of arrest in conformance with the Department's policy on non-traffic citations. An incident number shall be assigned any time an arrest has occurred.

U. Release after Arrest.

1. If, after an arrest, it becomes apparent that there is no probable cause to hold the arrestee, the arrestee may be released, under the following conditions:
 - a. The officer is satisfied that there are insufficient grounds for making a criminal complaint against the person arrested, and
 - b. A supervisor has approved the release.
2. If the person is released, police shall ensure that the person is released at a safe location and is not otherwise placed at risk because of the incident. If necessary, police should provide transportation for the released person to a safe location.
3. MOS shall thoroughly document all releases of persons that are not charged or incarcerated.

V. Investigative Detention Versus Arrest



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1. All MOS shall be aware of the distinction between investigative detention and arrest.
2. MOS may conduct an investigative detention based upon reasonable suspicion that the person detained has committed, is committing, or is about to commit a crime.
3. MOS shall not prolong the investigative detention beyond the period necessary to accomplish the purpose of the detention. MOS shall be aware that prolonging an investigative detention unnecessarily may cause a court to view the detention as an actual arrest.
4. MOS shall take precautionary measures for their own safety during an investigative detention, including display of firearms or handcuffing the detainee. MOS shall be aware that unnecessary or prolonged display of firearms or handcuffing during the investigative detention may cause a court to view the detention as an actual arrest.
5. MOS who reasonably believe that a person under investigative detention may pose a threat to their safety shall conduct a frisk or pat-down search of the detainee's clothing for weapons. MOS shall not conduct any further search of an investigative detainee unless and until it appears that there is probable cause for the arrest of the detainee.
6. If during the investigative detention, it becomes apparent that there is probable cause to believe that the detainee has committed a criminal offense, the detainee shall then be placed under arrest, and the procedures for arrest set forth in this policy, including the procedures for a search incident to an arrest, shall then be followed by the arresting MOS.

W. This Procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

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Chapter: 2
Article: 2

OFF-DUTY POWER OF ARREST

GENERAL STANDARD

Sworn MOS have limited liability protection for the off-duty performance of official duties. This protection does not extend to willful acts to cause injury or damage; or to those actions the MOS knew, or reasonably should have known, were in conflict with law or the established policies and procedures of the Department.

Off-duty MOS may be faced with situations involving criminal conduct that they are not equipped or prepared to handle in the same manner as if they were on-duty. Off-duty arrests may lead to unnecessary injuries and confusion for on-duty MOS arriving at the scene. In order to promote safety and efficient operations, the Department shall regulate when an MOS is permitted to make an off-duty arrest.

STANDARDS AND PROCEDURES

A. Off-Duty Responsibilities

1. Except as authorized by this policy, off-duty MOS should not enforce minor violations such as harassment, disorderly conduct, or other quality of life offenses.
2. While off-duty, it is the responsibility of the MOS to report, without unnecessary delay, any suspected or observed criminal activities to on-duty personnel.

B. When off-duty and within the City limits, an MOS may make an arrest only when:

1. There is an immediate need, such as:
 - a. An unidentified suspect,
 - b. The suspect is a flight risk,
 - c. The crime has resulted or may result in injury, or
 - d. Evidence of a crime may be lost or destroyed.
2. The crime could be charged as an offense requiring a full custodial arrest,
3. The arresting MOS is in possession of his badge of office and commission card, and
4. The arresting MOS is in possession of appropriate equipment needed to safely effect the arrest.

C. Unless the MOS is the victim of a crime or exigent circumstances exist that would require an immediate arrest, off-duty MOS within the City limits shall not make an arrest when:

1. The MOS is personally involved in the incident underlying the arrest,
2. The MOS, a family member, or a friend becomes engaged in an incident with the person or any other person connected with the incident, or
3. The MOS is engaged in off-duty employment.

D. Off-duty MOS shall not enforce traffic violations unless:

1. They are within the City limits and in uniform clearly indicating their official status, or
2. Exigent circumstances exist causing the MOS to reasonably believe the violator is a danger to the public safety.

E. When off-duty and outside the City limits, MOS shall not make arrests except as a citizen in conformance with statutory provisions.

F. This policy regulates arrests, however, MOS may utilize other reasonable means necessary to protect the public safety such as observation, verbal intervention and physical intervention.

G. When an arrest is made, the off-duty MOS shall abide by all Department policies and procedures.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

WARRANT FOR ARREST

Section: 5
Chapter: 2
Article: 3

GENERAL STANDARD

Arrest warrants that have been issued and delivered to, or obtained by the Department, shall be properly recorded, maintained and executed.

STANDARDS AND PROCEDURES

- A. All issued arrest warrants, either originating from or delivered to the Department, not immediately served shall be forwarded to the Communications Division.
 1. An on-duty dispatcher shall record and file the warrant,
 2. The arrest warrant shall not be removed from the Communications Division, unless it is being served, or deemed no longer valid by the issuing court.
- B. Arrest warrant execution should be conducted on all defendants within this jurisdiction.
 1. Municipal warrants may only be served within the county in which the municipality is located, except that municipal warrants issued as a result of a violation of "Driving Under the Influence of Intoxicating Liquors or Drugs" maybe served anywhere within the State of New Mexico by the appropriate agency.
 2. Magistrate misdemeanor warrants may be served anywhere within the State of New Mexico.
 3. Felony warrants may be served anywhere within the United States.
 4. Specific details on the warrant such as extradition limitations shall be followed by Department MOS.
 5. Arrest warrant descriptive information shall match the defendant, and the Communications Division shall have the actual warrant or an N.C.I.C. teletype prior to the arrest.
- C. Upon executing an arrest warrant, MOS shall:
 1. Serve a signed copy of the arrest warrant to the defendant,
 2. Attach a signed copy to the Department report, and
 3. Forward the original to the appropriate court along with other required court paperwork.
- D. A copy of a warrant shall not be made unless the warrant is served.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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CRIMINAL COMPLAINTS

Section: 5
Chapter: 2
Article: 4

GENERAL STANDARD

In every instance of a warrantless arrest or when charges are being filed by Department MOS in a court of law, a criminal complaint shall be completed.

STANDARDS AND PROCEDURES

A. All criminal complaints shall be completed and forwarded to the appropriate jurisdictional court when:

1. Requesting an arrest warrant or criminal summons for a defendant alleged to have committed a violation of law, or
2. A defendant is physically arrested, without a warrant, and charged with a violation of law.

B. All Department initiated criminal complaints shall be completed by a certified law enforcement officer, and shall:

1. State the defendant's name
 - a. More than one defendant may be named on a magistrate complaint, but not a municipal complaint, when all defendants have been charged with the same offense(s).
 - b. The defendant's personal identification information shall be written, if known, when filing a criminal complaint.
 2. Specify the offense(s) alleged to have been committed by the defendant(s) by common name of the offense and appropriate section number.
 - a. In magistrate cases, the common name of the offense shall be consistent with the District Attorney Charge Manual.
 - b. In municipal cases, the common name of the offense shall be consistent with the Rio Rancho Municipal Ordinance.
 3. Specify, in the body of the complaint, the date of the alleged offense.
 4. Specify the essential facts of the offense.
 - a. In magistrate cases, the essential facts shall be consistent with the District Attorney's Charge Manual.
 - b. In the event the essential facts of the case are not articulated in the charge manual, the language will be duplicated from the appropriate State Statute or City Ordinance arranged to resemble the format of the charge manual.
 5. Specify the title of the complainant as "Peace Officer."
 6. A copy of the complaint shall be provided to the defendant prior to incarceration or release.
 7. Be accompanied by a statement of probable cause in the event of a warrant less arrest,
 8. Be forwarded to the appropriate court of jurisdiction.
 - a. In all cases when the defendant is in custody and the court offices are open, the complaint must be forwarded and filed with the court as soon as possible on that same date.
 - b. If the court offices are closed, the complaint must be filed the next business day, provided that such time does not exceed seventy-two (72) hours from the time of arrest.
- C. Private Complaints
1. MOS shall complete an Offense/Incident Report in regard to the incident.
 2. When a private magistrate complaint cannot be substantiated by probable cause, the complainant shall be referred to the District Attorney's Office.
 3. All private municipal complaints shall be referred to the Department's records section to obtain and complete a Private Complaint Packet.
 4. Municipal private complaints shall be approved as to form by the court liaison lieutenant before filing with the Court.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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POLICE

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STANDARDS AND PROCEDURES

RESTRAINT AND TRANSPORTATION OF PRISONERS

Section: 5
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GENERAL STANDARD

MOS shall take appropriate precautions while restraining and transporting prisoners to protect the lives and safety of the MOS, public and the person in custody.

STANDARDS AND PROCEDURES

A. Vehicle Inspection

1. At the beginning and end of each tour of duty, all MOS shall inspect their issued vehicle when it has been used for the transportation of prisoners. The safety screen shall be securely in place, and the interior thoroughly searched for weapons or contraband.
2. Before placing a prisoner in a vehicle for transport and after the prisoner has been delivered to the final destination, MOS shall inspect the interior of the vehicle for weapons or contraband.

B. Restraining Prisoners

1. MOS should handcuff all prisoners, felony and misdemeanor, and all persons in protective custody with their hands behind their back. Persons shall remain restrained as such while transported to a detention or medical facility unless the prisoner:
 - a. Is in an obvious state of pregnancy, or
 - b. Has a physical handicap or injury that could be aggravated by standard handcuffing procedures.
2. Other reasonable restraint devices may be used to secure a prisoner who violently resists arrest or who demonstrates a physical handicap or a mental disorder that poses a physical threat.
3. Prisoners shall not be handcuffed to any part of the vehicle during transport.
4. Handcuffs and leg shackles shall be double locked at all times when used.
5. MOS may use Department approved flex cuffs or passive restraint devices.
6. Positional asphyxia "sudden death syndrome" may occur by allowing a person to remain lying down in a restrained position. This may occur following violent resistance. MOS shall remain cognizant of factors increasing the risk of positional asphyxia. These factors may include, but are not limited to: obesity, psychological disorders, high blood pressure, cardiac problems, diabetes, or other circulatory or pulmonary problems, which may be exacerbated by drug and/or alcohol use.
7. MOS shall not "hog-tie" prisoners (tying restrained hands to restrained feet in such a manner that does not allow the person to sit in an upright position).
8. MOS shall not leave restrained persons lying face down or in a prone position longer than reasonably necessary to apply restraint devices or otherwise gain control of the person.

C. Transport

1. Before transport, all prisoners shall be thoroughly searched.
 - a. When practical, the protective search should be conducted by an MOS of the same gender as the prisoner; and
 - b. The transporting MOS should conduct the search, unless the search was conducted in his presence.
2. When transporting prisoners, MOS shall provide the Communications Center with the following information:
 - a. Gender and adult or juvenile status,
 - b. Destination of transport, and
 - c. The mileage reading before and after the transport.
3. MOS shall use reasonable care when assisting a prisoner into the vehicle.
4. When transporting prisoners of the opposite gender two MOS should be used.
5. Prisoners of opposite gender should normally be transported separately.
6. When there is any delay or diversion when transporting a prisoner, MOS shall advise the Communications Center via radio of the circumstances



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surrounding the delay or diversion.

7. MOS shall visually monitor, and physically check when needed, the person being transported or restrained to ensure their physical well-being.
 8. Prisoners shall be transported in the following manner:
 - a. A single prisoner shall be placed in the back seat on the right hand side of the vehicle if the vehicle is equipped with a security screen.
 - b. MOS shall not transport more than three prisoners at any one time in a vehicle equipped with a security screen.
 - c. MOS shall not transport prisoners in a vehicle not equipped with a security screen unless there is another MOS present.
 - d. All prisoners shall be secured in the vehicle by proper use of a seat belt, when practical.
 - e. Personal property belonging to the prisoner shall be transported with the prisoner, but not in his possession.
 - f. Prisoners shall not be left unattended at any time while in the vehicle, unless exigent circumstances exist.
 9. Should a prisoner escape during transport or any time while in custody, the primary officer shall do the following:
 - a. Notify Sandoval County Communications Center of the escape;
 - b. Establish control through the Incident Command System;
 - c. Request additional resources in order to promote the capture of the escaped prisoner;
 - d. Ensure timely notification to a supervisor;
 - e. Document the escape in the appropriate report.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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DETAINEE PROCESSING CENTER**GENERAL STANDARD**

To establish guidelines for the safety of detainees and officers; to prevent escape of a detainee and exposure of the public to a resultant dangerous or threatening situation; and to establish guidelines for the conduct of officer to ensure equitable and professional treatment of detainees.

The Rio Rancho Police Department and its officers respect an individual's right to due process and equitable treatment, while protecting the safety of all persons involved in the booking and incarceration process.

Once an officer arrests a person for violations of law, the safety and security of the prisoner becomes the responsibility of the arresting officer during booking and incarceration in the Rio Rancho Detainee Processing Center. The safety and security of the detainee will only pass to other(s) when incarcerated in another facility, released to a bondsman or another, or other appropriate methods of release.

STANDARDS AND PROCEDURES**A. Entering and Exiting the Sally Port**

1. Upon approach to the sally port overhead door, officers shall check the status indicator light mounted above the door.
 - a. The red light indicates the sally port is occupied and cannot be entered. The door must not be opened, and the driveway should not be blocked.
 - b. The green light indicates the sally port is unoccupied and can be entered. When entering, officers shall:
 - 1) Wait until the overhead door is fully opened.
 - 2) Drive forward into the bay and stop at an appropriate distance from the facing wall to allow complete access around the vehicle.
 - 3) Immediately turn off the vehicle engine.
 - 4) Close the overhead door.
 - c. Detainees shall not be removed from the vehicle until officers have secured firearms in a lock box or the trunk of the vehicle.
 - d. Vehicles shall not be parked unnecessarily in a sally port.
 - 1) Vehicles should be removed from a sally port as soon as possible after the detainee is secured in a holding cell.
 - 2) Vehicles shall not be left in the sally port during the time detainees are in Municipal Court.
2. To exit the sally port, officers will:
 - a. Secure the detainee in the vehicle (if applicable).
 - 1) Handcuff the detainee while in the Detainee Processing Center.
 - 2) Place the detainee in the back right seat of the vehicle and secure with the seatbelt.
 - 3) Acquire any property belonging to the detainee.
 - b. Retrieve firearms from the trunk or lock box and leave the key in the locking mechanism.
 - c. Check that the door leading into the sally port from the Detainee Processing Center is closed.
 - d. Ensure the sally port overhead door is fully opened before backing the vehicle out of the sally port.
 - e. Ensure the sally port door is fully closed before leaving. (Exception: when another vehicle is waiting to enter the same door).
3. Except for Municipal Court transports and when the sally ports are full, vehicle loading and unloading of detainees will be accomplished inside the sally port.

B. Detainee Booking and Processing

1. The maximum detainment time in a booking pod is two hours; the maximum time in a holding cell is four hours.
2. The occupancy limits of cells and pods shall not be exceeded.
 - a. The small holding cells hold three people.



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- b. The large holding cell holds eight people.
 - c. The juvenile holding cell holds three people.
 - d. Booking pods will not have more than one occupant at a time.
 - e. All detainees in excess of the maximum capacity of the cells will be transported to an incarceration facility, released on bond, O.R., or to a third party.
3. Adult males and females will normally be booked in the main booking area adjacent to the adult holding cells. Juveniles will be booked in the booking area adjacent to the juvenile holding cell or other area separate from the adult booking area pursuant to this policy.
4. All detainees will be handcuffed prior to entering the Detainee Processing Center. Handcuffs shall not be removed until after the detainee is searched.
5. All detainees shall be searched for contraband, weapons and other property at the onset of the booking process and prior to being placed into a booking pod or holding cell.
- a. Adults shall be searched in view of the security camera. Items removed from the person shall be placed on the counter in view of the security camera.
 - b. The search shall include a pat down of the detainee's entire body to include clothing, head/hair, neck area, shirtsleeves, pant legs, crotch area, waist band and footwear. Pockets shall be emptied of contents; jewelry, glasses, belts, shoes with laces and headgear will be removed.
 - c. When practical and available, an officer of the same gender will conduct the search/pat-down.
 - d. Strip searches and body cavity searches shall not be conducted without a warrant. If there is reasonable suspicion to believe that an intrusive search is necessary, the detainee shall be transported to another detention facility with personnel trained to conduct those types of searches, and the search may be conducted as part of their intake and processing.
 - e. Property removed from a detainee shall be inventoried and placed into a property bin located under the counter in view of the security camera.
6. Detainees arrested for DWI may be restrained to the booking counter for the 20-minute deprivation period at the officer's discretion.
7. To remove handcuffs or other wrist restraining device from an adult detainee, the officer shall:
- a. Place the detainee into a booking pod in a sitting position facing away from the door.
 - b. Keep the door open and stand behind the detainee during the restraint removal.
 - c. If the detainee is violent or shows tendencies of becoming violent, the restraint device should be left on. If necessary, the detainee may be restrained by securing one handcuff to the rail inside the booking pod.
8. Officer shall use discretion and caution when removing handcuffs from juveniles, as there is no booking pod in which to secure them.
9. When a booking pod or cell is not available, a detainee may be secured to the bench or counter cuffing rails.
10. An Arrest/Booking form shall be completed for each arrested person including juveniles.
11. Under normal circumstances, a prisoner shall be allowed three phone calls within the first twenty minutes after entering the Prisoner Processing Center.
- a. A detainee may be allowed additional calls necessary to contact counsel or arrange for bond.
 - b. A detainee may be temporarily denied a phone call if their behavior indicates that they would damage the phone or other property in the process.
 - c. For notification purposes, an officer may place a phone call on behalf of the detainee.
 - d. If a detainee is placed into a holding cell before making a phone call due to refusal, disorderly conduct, inability to give the officer the phone number, or inability to dial the number, the detainee may attempt a phone call later.
12. Male and female detainees, adult or juvenile, will not be placed in a cell together; however, an adult female detainee can be booked in the adult processing area.



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13. Prior to placing a detainee, adult or juvenile, into a holding cell, the OFFICER shall complete a Department Detainee Medical/Emotional Status Report.
 - a. It is not necessary to complete the form if the person is not going to be placed into a holding cell.
 - b. When necessary, the front page must be completed in its entirety. All observations and responses shall be noted.
 - c. The back page of the form is to be used to document the welfare checks made after the detainee is placed into the cell. The officer will initial the corresponding blocks to indicate the time the detainee was placed in the cell and times that welfare checks were made.
 - d. Additional information can be noted in the comments section.
 - e. The form will be attached in a designated area near the door of the cell and will only be removed when the detainee is released from the cell.
 - f. The report form shall be included with the arrest paperwork for filing.

C. Juvenile Detentions

1. When dealing with juvenile detainees, officers shall adhere to the following special considerations.
 - a. An adult female shall not be processed or incarcerated in the juvenile holding cell area if a juvenile detainee is present.
 - b. A juvenile shall not be processed or detained in the juvenile holding cell area if an adult female is present.
 - c. A male and a female juvenile shall not be present in the juvenile holding cell area at the same time.
 - d. Juvenile detainees shall be separated by sight and sound from adult detainees at all times while in the Detainee Processing Center.
 - e. Arrangements to release a juvenile to a parent or guardian shall be made as soon as possible, unless a JPO has ordered the juvenile to be detained at an incarceration facility.
2. In the event that the JPO approves incarceration of a juvenile, the officer will transport the juvenile and his/her personal property to the designated juvenile facility as soon as possible.
3. Juvenile status offenders will not be held, processed, or inventoried in a secured area in the detention/holding facility.
 - a. Status offenders may be detained in an interview room or other area where access to the outside of the building is allowed without locks or secured egress.
 - b. Status offenses include truancy, curfew violation, runaway, possession or consumption of alcoholic beverage or tobacco, or any other offense that would not be considered a criminal offense if committed by an adult.
4. Juveniles charged with a delinquent act will be detained in the Detainee Processing Center pursuant to this policy.
 - a. Delinquent acts include any offense committed by a juvenile that would be considered a crime if committed by an adult.
 - b. Delinquent acts include offenses listed in 32A-2-3, NMSA 1978, and 12-12-5, R.O. 1987.
5. The Detainee Processing Center shall not be used to detain juveniles pursuant to a court order, or during transfer to, or from, any hearing or trial.
6. Juveniles should normally be searched in the juvenile area unless an adult female detainee or juvenile detainee of the opposite sex is already present.

D. Processing Center Security and Safety

1. Officers will not enter an occupied holding cell:
 - a. With the cell door keys in possession.
 - b. Without adequate personnel present to control the situation during a fight or other disturbance among the detainees in a cell only after verbal orders have failed to stop the disorder. If necessary, the SWAT extraction team may be called to quell the disturbance.
2. Holding cell and booking pod keys will be stored in a designated area when not in use.
3. The holding cell/pod electric control box may be utilized only when there are at least two officers in the holding cell area.



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4. The holding cell/pod electric door opening device shall be locked/disabled:
 - a. When there is only one officer present in the Detainee Processing Center while processing a detainee.
 - b. When there are detainees secured in the Processing Center, and an officer is not in the immediate holding cell area.
 - c. When an officer is booking/processing multiple detainees.
 - d. When the cells or pods are not occupied or are not being accessed.
 5. Doors accessing the sally ports, the Detainee Processing Center, or juvenile booking shall not be propped open. (Except temporarily in an emergency where quick access is necessitated).
 6. The doors of the holding cells or booking pods shall be kept closed and locked at all times.
 7. Cells and pods should be visually scanned for weapons and contraband before placing a detainee inside and after removing the detainee.
 8. Alert systems (emergency panic buttons) are installed in the Detainee Processing Center and the sally ports.
 - a. Alert system buttons are designed to be used by an officer to notify communications that there is an emergency.
 - b. Officers should familiarize themselves with the location of the buttons.
 9. When a detainee has a visible injury or alleges an injury, a supervisor shall be notified. The supervisor shall assess the situation and determine the need for paramedic, EMT or a physician to evaluate the detainee, before incarceration.
 - a. A physician examination should include determination if the detainee is medically fit to be incarcerated.
 - b. If determined to be fit for incarceration, the detainee shall be returned to the holding cell pending bond or other release.
 - c. If determined not to be fit for incarceration, the detainee shall be released to a responsible party.
 10. A first aid kit will be available in the Detainee Processing Center to care for minor abrasions and injuries.
- E. Property Inventory and Storage
1. Personal property and valuables (i.e., jewelry, shoes, wallet/purse, eye glasses/contact lenses, money, jacket/coat, keys, belt, etc.) when taken from a detainee shall be placed into a property bin and placed under the counter in view of the security camera.
 - a. Items and cash will be inventoried by spreading them out on the counter top so that they will be recorded on video.
 - b. When the value of the property or cash or a combination of both are \$500.00 or more, the officer will call another officer to witness the inventory of the property.
 2. Inventory of property shall be documented on an Arrest/Booking report in the personal property receipt section.
 - a. The officer and the detainee will sign the inventory form.
 - b. The officer and the detainee shall initial any changes to the property inventory form, including any items removed from storage at the request of the detainee.
 - c. If the detainee refuses to sign, or if restraints should not be removed, officers shall note the reason(s) on the form and have a second officer initial the form
 3. The property description will contain, but not be limited to:
 - a. The common or brand name of the item.
 - b. Color, size, and condition (officers should not state type of metal).
 - c. Total sum, denomination, type (currency or coin) and originating country of monies.
 - d. The shape and color of stones and gems.
 4. When a detainee is transported to an incarceration facility, the detainee's personal property will be transported also.
 - a. The property will be turned over to the booking officer at the facility.



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- b. The receiving officer will be requested to sign the property form.
- c. One copy of the signed property form will be forwarded to Records for filing, and one copy shall be given to the detainee.

F. Detainee Welfare Check

1. The welfare of juvenile detainees should be checked by an officer every 15 minutes or less.
2. The welfare of adult detainees should be checked by an officer every 30 minutes or less.
3. Officers will observe the detainee through the holding cell window only for the amount of time necessary to establish the status of the detainee.
4. OFFICER will log the date and time of the welfare checks on the Detainee Observation Report form.
5. Video surveillance equipment will be positioned in such a manner as not to invade the detainee's personal privacy any more than necessary for the detainee's safety and welfare.

G. Dangerous, Violent or Self-Destructive Detainees

1. Detainee behavior that presents a serious threat to the safety and security of the facility, themselves, the officer, or other detainees, require special handling or housing to regulate their behavior.
2. The Primary objective with these types of detainees is to transport them to an environment where trained personnel can appropriately handle their situation, or release them on bond when appropriate.
 - a. Adults shall be transported to the Sandoval County Detention Center, Metropolitan Detention Center or released to a competent person.
 - b. Juveniles shall be released to their parent/guardian or incarcerated upon the order of the JPPO.
3. Detainees who pose a suicide risk shall be constantly monitored until their release.
4. When an officer has determined that a detainee is likely to be violent or a danger to themselves or others, the detainee shall be segregated from other detainees.
5. When a detainee has been segregated, the officer shall:
 - a. Conduct welfare checks on the detainee more frequently than every 15 minutes.
 - b. Log the time of the welfare checks on the Detainee Observation Report.
6. If a detainee has a known or suspected infectious or contagious disease, the detainee shall be separated from the other detainees.
 - a. Officers should take precautionary measures to limit exposure to themselves.
 - b. Officers shall attempt to release the detainee O.R. as soon as possible in accordance with the Municipal Court form if the prisoner is otherwise unable to post bond.
 - c. Adult detainees shall be transported to the Sandoval County Detention Center if they cannot be released otherwise.

H. Release of Prisoners

1. When Municipal Court is in session, Officers shall contact the court to see if an immediate arraignment can be accomplished prior to releasing the detainee.
2. Officers shall keep the detainee in a cell or pod until it is necessary to sign forms, receive property, etc.
3. Officers shall not suggest specific bonding agencies to detainees. They may refer them to the list of bonding agencies posted in the booking room.
4. Conditions upon Release on Own Recognizance
 - a. The release on own recognizance must be authorized by a supervisor and meet the following criteria:
 - 1) The person shall present a current picture identification or otherwise be positively identified.



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- 2) The person shall live in Sandoval County and be currently employed.
 - 3) The person cannot have current failure to appear or contempt of court charges pending.
 - 4) The person is not considered a flight risk.
 - 5) Not all of the above criteria need be met when the need for release is due to Sandoval County Detention Center refusing to accept the detainee because of medical or other reasons.
- b. A supervisor must complete the Municipal Court Order Setting the Release and Appearance Bond form and sign as the judge's designee.
 - c. The booking OFFICER shall complete a Municipal Court report indicating the arraignment date.
 - d. For alcohol related offenses OFFICER shall complete the conditions of release form and provide the detainee with a copy.
5. Officers Responsibilities for all Detainee Releases
 - a. Before release, retrieve all of the detainee's property and have the detainee inspect the property and acknowledge by signature that it is all accounted for.
 - b. Return all property to the detainee, except for weapons, which can be handed to the detainee upon exiting the building.
 - c. Ensure that the detainee receives copies of all other relevant paperwork such as citations, court report, etc.
 - d. Forward the original court forms and documents to the locked court box and forward a copy to records for the detainee's arrest file.

I. Visitation

1. Due to the design and purpose of the Detainee Processing Center and the potential for liability, visitations with adult detainees by members of the public are prohibited.
2. Bondsmen and attorneys representing detainees shall not be allowed in the processing areas.
2. Attorney consultations with a juvenile shall be conducted in one of the interview rooms under similar circumstances.
3. Parents or guardians of juveniles are allowed visits in the patrol work area or other room outside the processing area, and while under the supervision of the officer.

J. Use of Force, Chemical Agents and Restraints

1. Reasonable physical force, restraint devices or chemical agents may be used by officers in the Detainee Processing Center in conformance with current Department policy
2. If chemical agents are used and when the detainee becomes compliant, officers should allow detainees to use the eye wash/shower in the sally ports.
3. Officer shall follow the Department Standard Operating Policy/Procedure for Use of Less than Lethal Force.
4. Handcuffs, leg shackles, cuffing rails and other restraint devices may be used when a detainee is:
 - a. Violent, and/or poses a threat to himself/herself or others.
 - b. Left unsupervised for a short period due to a situation that requires the officer to leave the Detainee Processing Center.
 - c. Being escorted to and from the court or other location within the facility and when transporting to another facility for incarceration.

K. Use of Force Incident Reporting

1. Officer shall follow the Department Policy/Procedure for reporting use of force incidents.
2. The immediate supervisor and the on-duty supervisor of the officer/employee will be notified.
3. Reports will be forwarded through the chain of command to the Chief of Police for supervisor's review and comments.

L. Evacuation Procedure



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1. In the event of a fire or other emergency requiring evacuation of the Detainee Processing Center, officer shall:
 - a. Summon additional officers to prevent detainees from escaping while being evacuated.
 - b. Follow the fire evacuation map posted for the area.
 - c. Take the detainees to a safe area where they will not interfere with fire apparatus or fire suppression.
2. If the center cannot be reoccupied within a one hour time period, officers shall contact SCDC or other appropriate facility for incarceration of detainees.

M. Escape Procedure

1. A complete and accurate description of the escapee shall be released to the Department personnel and other local law enforcement agencies and an immediate search shall begin.
2. If a detainee escapes from the custody of an officer or from the Detainee Processing Center, the officer shall promptly alert the chain of command and the Chief of Police.
3. The PIO shall be contacted to begin notification to the media.
4. If the escapee is captured, immediate notice of the capture shall be relayed to previously notified agencies, media and chain of command.

N. Municipal Court Security

1. Officer escorting a detainee to or from the courtroom shall:
 - a. Place appropriate restraint device(s) on the detainee before exiting the Detainee Processing Center into the hallway leading to the courtroom.
 - 1) Remove one detainee at a time from a holding cell, place restraint device, and then remove and restrain the second detainee.
 - 2) Generally, if there are more than two detainees, a second Officer should be summoned to assist.
 - b. Secure the detainee to the rail in the prisoner's gallery if there is a possibility that the detainee will become disorderly or if the detainee poses a physical threat, or when there are several detainees.
 - c. Remove a restraint device at the request of the presiding judge or with the approval of the presiding judge.
2. Officer shall replace the restraint device(s) before escorting the detainee from the courtroom.
3. If arriving by vehicle with a prisoner, the Officer shall enter the building from the west outside door that leads into the court access hallway.
 - a. Officer shall park in a designated area outside the building and escort the detainee(s) into the building.
 - b. High-risk detainees should be unloaded in the sally port. The officer shall remove and secure firearms before entering the Detainee Processing Center in accordance with this policy.
4. Officer will remain present during the court session or until relieved of that duty by another officer.
5. Officers shall have their portable radio with them while guarding a detainee in the courtroom, to notify dispatch if a situation or detainee behavior escalates beyond the ability of the OFFICER to control.

O. Video Recordings

1. The Department shall normally retain detainee processing center video recordings for three months to allow for administrative review or legal proceedings. Recordings requiring retention beyond thirty days shall be placed into evidence.
2. When the video recording are no longer needed for subsequent proceedings, or has been held for thirty days, it may be reused.

P. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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FIELD INVESTIGATOR PROGRAM**GENERAL STANDARD**

Field investigators, when available, shall gather all physical, photographic, forensic and documentary evidence for complete and proper investigation of a crime scene.

STANDARDS AND PROCEDURES

- A. The field investigator is responsible for locating, identifying, preserving and documenting physical evidence at crime scenes.
 1. The field investigator shall be under the direct supervision of their respective patrol supervisor.
 2. The activities of the field investigator will be coordinated with the needs of the Criminal Investigations Section.
- B. Qualifications - Field investigators shall be selected based on the following criteria:
 1. Candidates are not eligible when they are serving in the capacity of a specialized field that may limit their effectiveness.
 2. Candidates should be non-probationary and shall have a minimum of one-year law enforcement experience, unless otherwise recommended by the Field Investigator Program Manager and authorized by the Chief of Police.
 3. Candidates must have the ability to write clear, detailed, accurate and legible reports.
 4. Candidates shall not have repeated disciplinary actions or unsatisfactory performance as indicated in their personnel file.
- C. Training of Field Investigators
 1. Candidates shall successfully complete an accredited 40 hour field investigator class.
 2. In addition to the initial 40 hour class, field investigators shall complete a minimum of 8 hours of field investigator related coursework every two years.
- D. Use of Field Investigators
 1. The field investigator shall respond and assist other MOS or other agencies as requested and approved.
 2. The field investigator will respond off-duty only when authorized by the on-duty patrol supervisor.
- E. Responsibilities of Field Investigators
 1. Field investigators shall locate, identify, preserve and document all items of evidentiary value at the scene of a crime to ensure the complete and successful processing of the crime scene.
 2. All items shall be packaged in accordance with current department and crime lab criteria.
 3. A field investigator shall not leave the scene of a crime once processing has begun until the scene is completely processed, unless a life-threatening situation requires otherwise or the field investigator is relieved by the crime scene manager.
 4. A field investigator shall submit a written report on all investigations when evidence is collected.
 - a. The report shall be submitted on a supplemental narrative report form and shall contain all pertinent information gathered at the scene, as well as the investigator's observations.
 - b. The report shall be written without use of abbreviations, codes, or other jargon.
 - c. A field investigator shall submit the report to the patrol supervisor for approval before the end of their shift.
 5. Upon arrival at the scene, the field investigator shall ensure the crime scene is secured.
 6. In the event of a serious injury crash, the field investigator shall assist a crash reconstructionist or investigator for the collection of all evidence when requested to do so.
 7. In the event of a City vehicle crash, the field investigator may assist any MOS when approved by the patrol supervisor.
 8. The field investigator shall be called to any incident involving a battery to or injury of, any MOS and shall be responsible for processing the scene.
- F. Crime Scenes



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FIELD INVESTIGATOR PROGRAM

1. All unauthorized MOS shall be cleared from within the crime scene boundaries. Unauthorized MOS includes all persons, regardless of rank, position or status, when such persons are not directly assisting in the criminal investigation as approved by the investigating MOS.
 2. The field investigator may request the shift supervisor to assign additional MOS to assist in securing the boundaries of the scene.
 3. Photographs shall be taken at all crime scenes when necessary to document the incident and persons involved.
 4. Measurements shall be taken when a violent felonious act has occurred and such evidence justifies the documentation of its found position.
 5. Deceased persons shall not be moved, tampered with or processed until the scene has been evaluated by an investigator, unless:
 - a. The investigator from the Office of the Medical Investigator has given specific approval for evidence collection,
 - b. Photographs have been taken of the body in the position it was found, and
 6. Fingerprints (latent, victim, suspect) shall be taken.
 7. Collection of blood, urine, semen, etc., from any person shall be gathered only under legal guidelines and Department policy.
 8. Field investigators shall not process any crime scene when the scene is not safe to do so.
 9. The field investigator shall not analyze or give opinion to any observation or collected evidence that is beyond their training or expertise.
- G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Article: 8

REPORT WRITING

GENERAL STANDARD

The reports and forms completed by MOS are used by the Department to document its daily activities and many other applications where accurate documentation of the facts is essential. In order to ensure their value, reports and forms utilized within the Department shall be completed in an informative, accurate, neat and legible manner and submitted to the proper authority in a timely fashion.

STANDARDS AND PROCEDURES

- A. An appropriate Department reporting form shall be used by MOS to record any incident, which would reasonably require documentation.
 1. An MOS shall submit a report when requested by a citizen to document an incident.
 2. Documentation of an event for which there is not a specific Department form or procedure shall be accomplished by memo through the chain of command to the Chief or other appropriate authority.
 3. Report forms and memos shall be completed contemporaneous to the incident.
 4. Failure of an MOS to document an incident, which reasonably requires documentation, may be unsatisfactory performance.
- B. Report forms and memos shall be completed in a neat, legible manner with suitable spelling and grammar.
 1. When a manual for a report form exists, the form shall be completed in accordance with the manual.
 2. Printing is preferable to cursive writing.
 3. Handwritten reports shall be in black ink.
 4. Narratives shall consist of complete sentences and shall include all pertinent facts about the incident.
- C. All reports shall be submitted timely.
 1. Reports shall be submitted to the immediate supervisor for approval prior to the end of the MOS's shift.
 2. When exigent circumstances prevent a report from being completed on time, the MOS shall request permission from the supervisor to submit the report later, but generally no longer than 24 hours. When the report is imperative, the supervisor may authorize the MOS to work overtime to complete the report.
 3. All other reports shall be forwarded to the proper authority through the chain-of-command as soon as possible or in conformance with statutory requirements.
- D. A supervisor may request monthly statistical reports from a MOS summarizing the activity of the division or unit as a means to monitor and evaluate performance.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

CITIZEN REPORT

Section: 5
Chapter: 2
Article: 9

GENERAL STANDARD

The Department utilizes a Citizen Report program to provide efficient law enforcement services to the community. Having citizens fill out the Citizen Report for minor incidents limits unnecessary response and scene time by patrol officers.

STANDARDS AND PROCEDURES

- A. The Citizen Report may be used for the following types of calls when the crime is not in progress, when there is no identifiable suspect, and there is no apparent threat to the reporting person:
 1. Criminal damage to property to include graffiti;
 2. Lost property;
 3. Shoplifting and suspect is not in custody;
 4. Larceny crimes. If the victim is able to provide a serial number(s), officers should:
 - a. Provide the victim with a citizen report form and make sure that it is returned to them directly.
 - b. Once completed, they should attach a copy of the completed citizen report form with the theft declaration and have it entered in to NCIC.
 5. Falsey obtaining services;
 6. Fraud;
 7. Harassment;
 8. Neighbor Disputes;
 9. Embezzlement under \$500;
 10. Civil issues (custody disputes, landlord/tenant disputes, etc)
 11. Informational reports.
- B. The Citizen Report may be used as a supplemental to update serial numbers, add or delete property, or change the value of property only when the report does not include evidence recovery, or suspect identifiers.
- C. Upon receipt of a Citizen Report, the Records Section will enter the report into the records management system, and then forward the report to the investigations supervisor.
 1. If the investigations supervisor is not available, any MOS holding the rank of Sergeant or above may perform the functions of section D.
- D. The Investigations Supervisor shall:
 1. Review the report,
 2. Determine if information in the report correlates to any on-going investigation,
 3. Determine the need for investigative follow up and assign the case to an investigator if needed,
 4. Ensure appropriate entries are made into NCIC,
 5. Ensure case numbers are assigned to active reports, and
 6. Forward all inactive reports to the Records Section.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

DUTY OFFICER

Section: 5
Chapter: 2
Article: 10

GENERAL STANDARD

The Duty Officer shall maintain the high standards of the Rio Rancho Police Department while ensuring safety and security at their duty station.

STANDARDS AND PROCEDURES

A. Duty Officer Responsibilities

1. The Duty Officer responsibilities include:
 - a. Maintaining a uniformed presence at the Police Headquarters Lobby during business hours.
 - b. Assists Court Security Officer as needed.
 - c. Conducts screening of all persons entering the Police Headquarters Building. That screening shall confirm they are not in possession of contraband, including:
 - 1) Weapons.
 - 2) Cellphones.
 - 3) Any item that could potentially pose a security risk, at the discretion of the officer.
 - (a) The Duty Officer shall not take possession of the personal property unless it is evidence or found property.
 - d. Completing Department forms as required.
 - e. Assisting citizens with Department related business.
 - f. Activating all security equipment and confirming its serviceability. Including the metal detector, x-ray machine, and hand-held metal detector.
 - g. Ensuring the Police Headquarters Lobby is secure at the end of the business day.
 2. Security Screenings
 - a. The Duty Officer shall screen all citizens requesting entry into Police Headquarters. That screening shall consist of:
 - 1) Verbally confirming the subject does not have any weapons or cell phones.
 - 2) Inspecting bags or purses utilizing the X-ray machine.
 - (a) If the X-ray machine is not available, a visual inspection is necessary. If the subject is not willing to submit to a search, that article will not be allowed in the building.
 - 3) Ensuring the subject passes through the metal detector.
 - (a) If the metal detector alerts, stop the subject and utilize the handheld metal detector to identify the object.
 3. Other Considerations
 - a. The Duty Officer shall review any self-reporting forms turned in for validity and adherence to Department policy.
 - 1) If the reported incident falls outside of self-reporting guidelines, an offense/incident report shall be completed.
- B. This policy is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Court Security Officer

Section: 5
Chapter: 2
Article: 11

GENERAL STANDARD

The front desk and court security officers shall maintain the high standards of the Rio Rancho Police Department while ensuring a safe and secure front desk and Municipal court area.

STANDARDS AND PROCEDURES

- A. The following shall apply to all MOS, including the normally assigned officer and any officer temporarily assigned.
 1. The assigned officer is responsible for the pursuit, apprehension, and arrest of violators of the law within the building, grounds, and city-wide locations while on duty.
 2. An officer will be on-duty within the courtroom during regular court hours
 - a. When court is not in session during the above mentioned hours, the court security officer is not required to be in the courtroom.
 3. The court officer may, at the discretion of the Chief or his designee or with a justifiable emergency, leave the court to respond to the public safety needs of the city including (but not limited to):
 - a. A call for emergency assistance from an officer
 - b. An in-progress emergency call in the area
 - c. A similar emergency
 4. If the court officer is forced to leave due to the above-listed emergencies, the on-duty supervisor shall make an effort to temporally fill the position as quickly as possible.
- B. Court security officers shall:
 1. Arrange for, or personally transport inmates from local holding facilities at the request of the Judge and court staff.
 2. Announce the arrival and departure of the Judge.
 3. Conduct periodic sweeps of the courtroom, court lobby area, and surrounding grounds. Sweeps shall be done, at a minimum, before and after court.
 4. Promptly respond to calls for service from court staff.
 5. Provide assistance with fire safety and emergency evacuations.
 6. Provide information and/or directives when requested from the public, co-workers, and other building occupants.
 7. Perform clerical tasks, such as; write police reports, respond to emails, make journal entries into the computer security system, maintain records and print police reports.
 8. Perform all duties, including maintaining the peace and pursuit and apprehension of violators of the law, within building grounds and state-wide locations.
 9. Ensure that the dress code is enforced and all citizens act in an appropriate manner while in the court area.
 10. Function as backup to the front desk officer
- C. Court Security Plans
 1. Physical Security Plan
 - a. The court security officer shall familiarize themselves with the layout of the court area. To include:
 - 1) All routes of ingress and egress
 - 2) The overall layout of the facility
 - 3) Locations of electronic surveillance
 - 4) Court staff emergency procedures



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- 5) Conducting a search before and after court proceedings for contraband and structural integrity.
 - i. To include a check of all holding cells and detention facilities in the Department that could be utilized by the court security officer.
- 6) Be aware of the security equipment used in court security and confirm its working condition

2. High-Risk Trial Plan

- a. Any trial that has a higher than usual chance of violence, media involvement, or involving high profile persons shall be considered a high-risk trial.
- b. When a trial has been identified as high risk, MOS shall communicate to the court security officer's chain of command, to include the Department PIO.
- c. Patrol supervisors shall be informed, and additional officers may be notified and assigned to augment the court security officer.

D. Emergency Procedures

1. Emergency evacuations (Including fire)

- a. The court security officer shall assist all citizens in the area to get clear of the danger zone. Any additional tasks necessary to ensure the safety of everyone in the area shall be completed by the court security officer except when not reasonable.

2. Active shooter

- a. In the event of an active shooter or any imminent danger to the citizens within the court area, the court security officer shall assess the situation and utilize appropriate responses.

3. Prisoner Escape

- a. In the event of a prisoner escape, the court security officer shall initiate all tasks required in a critical incident. If the court security officer has reason to believe that the prisoner is still in the building, he should make every effort to protect the citizens in the building, in addition to coordinating the efforts to find and recover the escapee.

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Chapter: 2
Article: 12

RESPONDING OUTSIDE THE CITY LIMITS**GENERAL STANDARD**

MOS may respond to emergency calls for service outside the city limits pursuant to contract, memorandum of agreement or mutual-aid agreement if adequate resources are available.

STANDARDS AND PROCEDURES

- A. Upon a request for assistance outside the city limits, an on-duty supervisor shall approve those resources leaving the city limits. Supervisors shall gauge their approval on the following conditions:
 1. Availability of resources,
 2. The use of on-duty versus off-duty MOS,
 3. Current contracts, memorandums of agreements or mutual-aid agreements, and
 4. Current activity within the city, which requires a higher priority.
- B. In order to leave the city with adequate protection, supervisors shall only respond minimum reasonable resources.
- C. When approving outside response, supervisors shall inform Communications and MOS of the level and nature of response.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

EXTRA PATROL

Section: 5
Chapter: 2
Article: 13

GENERAL STANDARD

As a community service the Department may assign officers to conduct an Extra Patrol when requested by citizens who will be away from their place of residence, or concerned citizens and business owners/managers when they believe criminal activity may be occurring at a specific location.

STANDARDS AND PROCEDURES

- A. Persons requesting an Extra Patrol for their residence while they are away, or for criminal activity shall be advised to appear in person at the Department's administration building to complete an Extra Patrol Request Form.
- B. When special circumstances exist, MOS may take a request for an Extra Patrol over the telephone.
- C. MOS may request an Extra Patrol for suspected criminal activity or for investigative follow-up.
- D. The Extra Patrol Requests shall be maintained in folders by beat assignment until the completion date on the Extra Patrol Form. The folders containing the Extra Patrol Requests shall be available for inspection when not in use.
 1. A copy of the Extra Patrol Request shall be forwarded to communications and stored by beat assignment until the completion date on the request.
 2. Supervisors shall assign Extra Patrol Requests to MOS at the beginning of the shift, and ensure as many requests as possible are completed during the shift and that the folders are returned.
 3. MOS shall notify communications when conducting an Extra Patrol.
 4. MOS shall physically inspect the premises when conducting extra patrols for citizens who are away from their residences. MOS shall consider the nature of the extra patrol request for suspected criminal activity to determine the appropriate level of inspection.
 5. MOS shall record the date, time, and additional comments if appropriate on the Extra Patrol Request Log. If additional space is needed to adequately document comments, MOS may attach a supplemental narrative.
 6. When an Extra Patrol Request has expired, or one month has elapsed, supervisors shall remove and forward the form to the records section.
 7. Supervisors shall review Extra Patrol Requests to determine whether the validity of the request justifies law enforcement services. If the request does not justify law enforcement services, the supervisor shall:
 - a. Make reasonable attempts to notify the requesting party,
 - b. Document on the form, the reason(s) why the extra patrol will not be performed, and
 - c. Forward the form to the records section.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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CIVIL DISPUTES AND ASSISTANCE

GENERAL STANDARD

MOS shall respond to requests for assistance involving civil matters. MOS shall maintain the peace, determine if a crime has occurred, and take appropriate action in response to observed criminal acts. MOS shall remain cognizant of protecting the rights of all parties, and make appropriate referrals to those involved for filing civil process and remediying the civil dispute.

STANDARDS AND PROCEDURES

- A. MOS shall conduct civil standbys pursuant to the Family Violence Protection Act, valid court orders specifically directing a law enforcement action, for landlord/tenant disputes, and other situations to prevent a breach of the peace.
- B. Civil standbys should generally not exceed thirty minutes. However, MOS may remain longer if it appears that staffing and current calls for service will not be unreasonably affected.
- C. The on-duty supervisor shall be notified of requests involving a valid court order specifically directing a law enforcement action that may cause the requested civil standby to be longer than thirty minutes. The supervisor shall determine if there is adequate staffing to conduct the standby in addition to handling current calls for service. The supervisor may:
 1. Authorize MOS to conduct the standby,
 2. Temporarily postpone the standby until current staffing and calls for service will not be unreasonably affected, or
 3. Confer with the requesting party and reach a mutual agreement about a specific day and time for the standby.
- D. MOS may cease any activity precipitating the standby, ask parties to leave, and end the civil standby at any time when:
 1. The MOS believes the parties are not making a good faith effort to complete the standby in a timely manner,
 2. The parties are not acting in a civil manner and are escalating the volatility of the incident, or
 3. MOS need to leave for an emergency call for service and there are indications that a breach of peace is likely to occur while the MOS is not present.
- E. Landlord/Tenant Disputes
 1. When MOS respond to a call for service involving a landlord/tenant dispute, MOS shall:
 - a. Take appropriate action in response to observed criminal acts or disorders affecting the public peace.
 - b. Advise the disputants "the Department's role is only to keep the peace, enforce criminal laws and not to arbitrate civil matters."
 - c. Question involved parties to determine if a crime has been or is being committed, and identify the owner(s) and tenant(s).
 - d. Advise the disputants they should seek legal counsel to assist with civil remedies. MOS shall not give referrals or direction to a specific civil attorney or firm.
 2. MOS shall determine if the situation is a civil matter by:
 - a. Inquiring about verbal or written landlord/tenant agreements,
 - b. Inspecting any written agreements if available,
 - c. Inspecting any available documentation showing ownership, and
 - d. Inspecting the tenant's living area for signs that the tenant has been living in the residence.
 3. When MOS determine that a dispute is a civil matter, MOS shall:
 - a. Inform the disputants to contact Magistrate Court for the proper paperwork needed to file a civil action,
 - b. Inform the disputants that Magistrate Court or the Office of the Attorney General can provide them with documentation regarding landlord or tenant rights, and
 - c. Warn the disputants that escalating the incident could result in criminal violations and subsequent criminal prosecution.
 4. MOS shall not make decisions regarding a person's lawful tenancy or ownership for the purpose of eviction in response to allegations of breach



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of contract, unlawful sublet agreements, failure to pay, or other civil legal issues in the Uniform Owner-Resident Relations Act 47-8-1 through 47-8-52 NMSA 1978. These dispute resolutions are made through civil litigation and/or judicial proceedings.

F. Civil Standby Assistance

1. MOS may conduct civil standbys in accordance with this policy, or pursuant to the Family Violence Protection Act 40-13-1 to 40-13-8 NMSA 1978 or a valid court order. MOS shall:
 - a. Take appropriate action in response to observed criminal acts or disorders affecting the public peace.
 - b. Advise the disputants "the Department's role is only to keep the peace, enforce criminal laws and not to arbitrate civil matters."
 - c. Question involved parties to determine if a crime has been or is being committed, and identify the disputants.
 - d. Advise the disputants they should seek legal counsel to assist with civil remedies. MOS shall not give referrals or direction to a specific civil attorney or firm.
 - e. Advise the requesting party that the standby may be preempted for emergency calls for service.
 - f. Advise the requesting party that MOS may not be present for the entire standby when the parties and MOS mutually believe that a breach of peace is not likely to occur.
2. Absent a valid court order, MOS shall not make any determination of ownership regarding property. If the ownership of property is in dispute, MOS shall advise the parties that current possession takes precedence and to seek a court order for determining property ownership.
 - a. In accordance with the Family Violence Protection Act, MOS may accompany a victim to the victim's residence to remove personal clothing and items for immediate needs.
 - b. Other articles that may be removed are clothing and items needed for children in the victim's care.

G. MOS shall not provide civil standby assistance for private entities repossessing, bill collecting, terminating or otherwise discontinuing delivery of a service or product.

1. MOS shall respond when a crime has been reported.
2. MOS shall investigate a breach of peace, and take appropriate action to remove the person serving civil process or notice when necessary.

H. An incident report shall be filed when:

1. MOS believe it is necessary to document their actions,
 2. Directed to do so by a supervisor,
 3. Requested by a disputant,
 4. MOS take enforcement action in response to a criminal violation, or
 5. Required by other relevant Department policies and procedures.
- I. This policy is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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DEALING WITH PERSONS WITH DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS**GENERAL STANDARD**

Persons with developmental disabilities and mental illness may be limited in their ability to effectively communicate, interact with others, and make reasoned decisions on their own. This can make interactions with such persons difficult in enforcement and other encounters and may result in inappropriate or counterproductive police actions if MOS are not prepared to recognize and deal with symptomatic behaviors and reactions of such persons.

Therefore, the Department requires that MOS understand the symptomatic behavior of such persons and be prepared to deal with them in a manner that will best serve their needs, the needs of the community and the needs of the Department in fulfilling the Department's mission.

It is the purpose of this policy to provide MOS with information on the symptoms and effects of developmental disabilities and mental illness, so that MOS may better recognize and deal with such persons in enforcement and related capacities. It is important that MOS have this information in order to minimize avoidable conflicts and potential civil litigation, and to ensure that proper medical attention is provided. The policy provides guidelines for MOS to consider when dealing with these individuals.

DEFINITIONS

Developmental Disability: A potentially severe, chronic disability attributable to a physical or mental impairment or combination of impairments, resulting in substantial functional limitations to major life activities such as understanding and expression of language, learning, mobility, self-direction, self-care, capacity for independent living, and economic self-sufficiency. Developmental disabilities, (such as persons with developmental delays, autism spectrum disorders, cerebral palsy, Tourette's syndrome or a traumatic brain injury) are not the same as forms of mental illness, such as schizophrenia or more common mood disorders.

Mental Illness: Any of various conditions characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection.

Grave Passive Neglect: Failure to provide for one's basic personal needs, medical needs, or for one's own safety, to such an extent that it is likely to result in bodily harm.

Certificate of Evaluation: A document completed by a licensed physician or certified psychologist that certifies a person, as a result of a mental disorder, presents a likelihood of harm to him/herself, or others, and that immediate detention is necessary to prevent such harm.

Crisis: Any situation in which a person's ability to cope is exceeded.

STANDARDS AND PROCEDURES**A. Common Symptoms**

1. There are numerous forms of disabilities and mental illness, including but not limited to, developmental, physical and mental. While MOS are not in a position to diagnose persons with such disabilities, MOS shall be alert to the symptoms that are suggestive of such disorders. These include, but are not limited to, the following symptoms in various combinations and degrees of severity:
 - a. Communication by pointing or gestures rather than words,
 - b. Repetition of phrases or words,
 - c. Uneven gross or fine motor skills,
 - d. Unresponsiveness to verbal commands,
 - e. Extreme agitation or anxiety,
 - f. Loss of memory,
 - g. Confusion,
 - h. Difficulty communicating and expressing oneself,
 - i. Inappropriate behavior for a given situation,
 - j. Repetitive body movements, which may be harmful to themselves, such as swaying, spinning, clapping their hands, flailing their arms, snapping their fingers, biting their wrists, or banging their head,
 - k. Little or no eye contact,



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- I. Tendency to show distress, laugh, or cry for no apparent reason,
- m. Aversion to touch, loud noise, bright lights, and commotion,
- n. Over-sensitivity or under-sensitivity to pain,
- o. Self-injurious behavior,
- p. Severe inability to control behavior,
- q. A loss of contact with reality,
- r. Delusions or hallucinations,
- s. Paranoia,
- t. Disorganized thought or speech,
- u. Incoherent speech,
- v. Manic behavior,
- w. Severe depression, or
- x. Imminent suicidal or homicidal tendencies.

C. Common Encounters

1. MOS may encounter persons with developmental disabilities or those with mental illness in a variety of situations. However, due to the nature of developmental disabilities and mental illness, some of the most common situations in which such persons may be encountered are:
 - a. Wandering – Persons with developmental delays, autism, elderly persons with Alzheimer's, or other persons with intellectual disabilities sometimes evade their parents, supervisor, caregiver, or institutional setting and may be found wandering aimlessly or engaged in repetitive or bizarre behavior in public places or stores.
 - b. Seizures - Some persons with developmental delays, such as those with autism or brain injuries, are more subject to seizures and may be encountered by police in response to a medical emergency.
 - c. Disturbances - Disturbances may develop and a caregiver may be unable to maintain control of the person with a disability who is engaging in self-destructive behavior or a tantrum, or there may be repeated calls to police.
 - d. Strange and Bizarre Behavior - Strange or bizarre behavior may take innumerable forms prompting calls for service, such as picking up items in stores (perceived shoplifting), repetitive and seemingly nonsensical motions and actions in public places, inappropriate laughing or crying, and personal endangerment.
 - e. Offensive or Suspicious Persons - Socially inappropriate or unacceptable acts, such as ignorance of personal space, annoyance of others, or inappropriate touching of others or oneself are sometimes associated with persons with developmental disabilities and mental illness who often are not conscious of acceptable social behavior.
 - f. Crisis Intervention – A situation where a subject poses a risk to themselves or others, or where the situation has overwhelmed the subject's ability to cope.
 - g. Service of Certificates of Evaluation.
 - h. Criminal Behavior – Either as a suspect of criminal behavior or more often as a victim or witness.

C. Danger Assessment

1. Not all persons with mental illness and developmental disabilities are dangerous. Some may be dangerous only under certain circumstances. Specific indicators may exist to assist the officer in determining if a person represents an immediate or potential danger to him/herself, MOS, or others. These indicators include but are not limited to the following:
 - a. The availability of weapons to the subject.
 - b. Substantiated statements (direct threats or subtle innuendo) by the person that he/she is prepared to commit a violent or dangerous act



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against himself or another, or the actual commitment of a violent or dangerous act.

- c. Personal history, known or provided, that reflects prior violence under similar circumstances.
 - d. The lack of physical control the subject demonstrates over his/her emotions of rage, anger, fright and agitation.
 - e. The volatility of the environment is a relevant factor MOS must evaluate. Agitators that may affect the person, or a particularly combustible environment that may incite violence should be taken into account.
2. MOS should attempt to gather all available pertinent information to assist in determining danger including but not limited to:
- a. Information from the Sandoval Regional Communications Center as to previous incidents with the individual or at the location.
 - b. Information from the calling party, family, or caretaker.
 - c. Information from professionals such as doctors, psychiatrists or psychologists.
3. MOS shall ensure the safety of all persons, including caretakers and witnesses, and remove them from the situation as necessary.
4. In cases where the primary call for service is for a suicidal subject or a subject who is an active danger to themselves the MOS shall:
- a. Notify a supervisor
 - b. A minimum of two MOS should respond to the situation. The MOS should assess all available information to determine if additional personnel are needed.
 - c. Determine mode of initial contact. If information suggests that the subject has access to weapons, it is recommended the MOS make initial contact over the phone to encourage the subject to come out without weapons.
 - d. Assess the need for trained crisis negotiators and SWAT.
- D. Handling and Deescalating Encounters
1. Some persons with developmental disabilities and mental illness can be easily upset. In addition, they may engage in tantrums, self-destructive behavior, or become aggressive. Fear, frustration, and minor changes in their daily routines and surroundings may trigger such behavior. MOS shall take measures to prevent such reactions and deescalate situations involving such persons. MOS should:
- a. Speak in a calm voice and use non-threatening body language.
 - b. Keep the commotion down. Eliminate, to the degree possible, loud sounds, bright lights, and other sources of over stimulation.
 - c. Keep animals away. Keep police canines in their vehicle and preferably away from the area, and ensure that other distracting animals are removed.
 - d. Look for medical ID tags on wrists, neck, shoes, belts, or other apparel. Some persons carry a card noting that they are developmentally disabled and possibly nonverbal. That card should also provide a contact name and telephone number.
 - e. Call the contact person or caregiver. The person's caregiver or institutional or group home worker is an MOS's best resource for specific advice on calming the person and ensuring the safety of the person and the MOS until the contact person arrives on the scene.
 - f. Prepare for a potentially long encounter. Dealings with such a person should not be rushed unless there is an emergency. De-escalation of the situation using calming communication techniques can take time, and MOS should inform communications and the on-duty supervisor that this might be the case if circumstances dictate.
 - g. Be aware that persons may have a physical impairment that affects their ability to communicate, but does not affect their mental capacity.
 - h. Be attentive to sensory impairments. Many have sensory impairments that make it difficult for them to process incoming sensory information properly. It may affect their ability to hear, or may prevent them from making eye contact.
 - i. Avoid touching the person. Unless there is an emergency such as the person has been seriously injured or is in imminent peril.
 - j. Avoid abrupt movements or actions.
 - k. Use direct and simple language. Repeat short, direct phrases in a calm voice. Avoid using slang. Many may understand only the simplest and most direct language such as come, sit, and stand.



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Section: 5
Chapter: 2
Article: 15

DEALING WITH PERSONS WITH DEVELOPMENTAL DISABILITIES AND MENTAL ILLNESS

- I. Do not interpret odd behavior as belligerent. In a tense or even unfamiliar situation, these persons may tend to shut down and close off unwelcome stimuli. Increased levels of stress may lead to increases in these behaviors. Do not stop the person from repetitive behavior unless it is harmful to themselves or others.
- m. Be aware of different forms of communication. Some persons with developmental delays or communication disorders carry a book of universal communication icons. Pointing to one or more of these icons will allow the person to communicate where they live, their mother's or father's name, address, or what they may want. Those with communication difficulties may also demonstrate limited speaking capabilities, at times incorrectly using words such as "You" when they mean "I".
- n. Maintain a safe distance. Provide the person with a zone of comfort that will also serve as a buffer for officer safety.
- o. Use a concerned tone, project genuineness, sincerity, and be truthful.
- p. Do not reinforce delusions or hallucinations. If a subject says they are hearing voices don't say I hear them too.
- q. Redirect the conversation if needed to reality or the current situation.
- r. Think through what you're going to say, take your time; speak slowly and calmly.
- s. Use the subject's name if possible.
- t. In cases where it is suspected the subject may be suicidal, ask direct questions in reference to intent, mode and method.

E. Taking Persons into Custody**1. Mental health evaluation**

- a. MOS may transport a person for emergency mental health evaluation and care in the absence of a court order when:
 - 1) The person is otherwise subject to lawful arrest.
 - 2) MOS has reasonable grounds to believe the person has just attempted suicide.
 - 3) MOS's own observation and investigation provides reasonable grounds to believe that the person, as a result of mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm, or
 - 4) A licensed physician or certified psychologist has certified (Certificate of Evaluation) that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm.
- b. If a subject meets the criteria for an emergency mental evaluation or a Certificate of Evaluation MOS shall:
 - 1) Notify a supervisor of the situation.
 - 2) Gather all pertinent information.
 - 3) Transport mentally disturbed persons to the nearest hospital or appropriate evaluation facility.
 - (a) Upon arrival at the evaluation facility, MOS shall transfer responsibility of the patient to hospital personnel. If the patient is violent, the MOS shall remain until the person can be controlled by hospital personnel.
 - (b) Transfer is deemed to have occurred when initial contact has been made by hospital medical personnel.
 - (c) Upon transferring responsibility, MOS shall not be responsible for the care and additional transportation required for patients that may need specialized treatment.
- 4) If there is any indication that the subject has ingested a toxic substance, has a medical condition or traumatic injury, EMS shall be requested.

2. Criminal arrest

- a. In cases where the MOS has probable cause that a criminal offense has occurred that necessitates a physical arrest, the MOS shall:
 - 1) Notify the supervisor,



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- 2) Ensure there are enough MOS on scene. A minimum of two MOS should respond to the situation. The MOS should assess all available information to determine if additional personnel are needed.
- 3) Be cognizant of the fact that use of handcuffs and other restraints will invariably escalate panic and resistance.
- 4) Employ appropriate deescalation techniques.
- b. Dependent on the totality of the circumstances, MOS may elect to transport the subject to a hospital for a mental health evaluation in lieu of transport to a detention facility.
- c. Taking physical custody of a person with a developmental disability may invariably initiate a severe anxiety response and escalate the situation. If appropriate, a non-traffic citation or criminal summons may be issued.
 - 1) Whenever possible and safe to do so, summon the person's caregiver to accompany the person and to assist in the calming and intervention process.
 - 2) If a caregiver is not readily available, summon a MOS trained in crisis intervention techniques if available.
- d. Do not incarcerate the person in a lockup or other holding cell if possible. Do not incarcerate the person with others.
 - 1) Until alternative arrangements can be made, put the person in a quiet room with subdued lighting. If it is safe, allow a caregiver or other responsible individual such as another officer who has experience in dealing with such person's access to assist in the calming and intervention process.
 - 2) Persons that are put in a holding cell shall be constantly monitored.

F. Interviews and Interrogations

1. MOS conducting interviews or interrogations of a person who has, or who is suspected of having, a developmental disability or mental illness, as suspects, victims, or witnesses, MOS should:
 - a. Not interpret lack of eye contact and strange actions or responses as indications of deceit, deception, or evasion of questions.
 - b. Use simple, straightforward questions.
 - c. Not employ common interrogation techniques, suggest answers, attempt to complete thoughts of persons slow to respond, or pose hypothetical conclusions, recognizing that persons with developmental disabilities may be easily manipulated and may be highly suggestible.
2. MOS conducting interviews or interrogations of a person who is a suspect of a crime, who has, or who is suspected of having, a developmental disability or mental illness should be cognizant of their ability to comprehend the situation.
 - a. MOS shall afford every individual their constitutional rights. An individual's constitutional rights are not diminished because of their disability or illness.
 - b. The admissibility of a suspect's statement will depend on evidence that he/she understood his/her rights and understood and answered the questions willingly.
 - c. When administering the Miranda warnings, MOS should make every effort to determine the extent to which the person's illness, or medications the person is taking to treat the illness, impairs his or her ability to comprehend and give informed consent.
 - d. When MOS doubt a person's capacity to understand his/her rights, they will ask the person to explain each of the Miranda warnings in his or her own words and make a record of the person's explanations.

G. Offense incident reports shall be completed for all situations involving the following:

1. Physical arrests,
2. Transports for mental health evaluations or Certificates of Evaluation,
3. Suicidal subjects,
4. To document excessive calls for service, and
5. Criminal activity.



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H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Section: 5
Chapter: 2
Article: 16

BIASED POLICING

GENERAL STANDARD

This policy emphasizes the Department's commitment to prohibit biased policing, "profiling" or other conduct unbecoming of an officer when contact with the public is based on the race, ethnicity, color, national origin, language, gender, gender identity, sexual orientation, political affiliation, religion, age, economic status, physical or mental disability or serious medical condition as cited in the Prohibition of Profiling Practices Act. NMSA 1978, Section 29-21-1 (2009).

This policy is not intended to prohibit the discretion of an officer, but rather, it is directed to the use of police discretion based on false or unreasonable perceptions, preconceptions, or biases of officers that obscure impartiality and interfere with professional decision making and training.

DEFINITIONS

Biased Policing: Discrimination in the performance of law enforcement duties or delivery of police services, based on personal prejudices or partiality of officers that interferes with their professional judgment, training, departmental policy, or adherence to law.

Profiling: Includes, but is not limited to, prejudicial decisions affecting individuals in classes protected by federal and state law. It also includes, for example, persons with whom officers have such "personal involvement" that they cannot act impartially, as defined herein.

Equal Treatment: All persons shall be treated in the same basic manner under the same or similar circumstances, irrespective of race or other distinction.

STANDARDS AND PROCEDURES

A. Officers shall provide equitable treatment of all persons while actively performing their official duties. Biased based profiling is prohibited in traffic contacts, field contacts, and in asset seizure/forfeiture cases, ect.

1. Officers shall be able to articulate specific facts and inferences drawn from those facts that establish reasonable suspicion or probable cause to take any enforcement action.
2. Officers shall investigate the credible information relevant to the locality or time frame that links a person to criminal activity.
3. Officers may use traits or distinguishing characteristics of person, such as race, in combination with other facts to assist in establishing reasonable suspicion or probable cause in the same manner that an officer would use hair color, height, weight, or gender for such purposes.
4. This policy does not exclude any officer from conducting safety stops, welfare checks or consensual encounters that are done so in the interest of public safety.

B. ENFORCEMENT

1. Officers who witness or who are aware of instances of bias-based policing shall report the incident to their supervisor.
2. The Department takes seriously all allegations of bias-based policing. All such complaints shall be forwarded to the officer's supervisor for investigation.
3. If biased based profiling is founded, the Chief of Police will determine the appropriate corrective, administrative, or disciplinary action. As a minimum, the MOS will undergo remedial biased based policing training.
4. Complaints of any bias-based policing will be accepted from any source or manner and must be made within 90 days from the commission of the alleged violation.
5. The Department shall provide all redacted copies of citizen complaints regarding biased policing to the New Mexico Attorney Generals' office upon request.

C. TRAINING:

1. All officers will receive basic and in-service training on subjects related to police ethics, cultural diversity, police-citizen interaction, standards of conduct, conducting motor vehicle stops, and related topics suitable for preventing incidents of biased policing at least once every two years thereafter. NMSA 1978, Section 29-21-3.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures and will be reviewed annually.



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STANDARDS AND PROCEDURES**DIPLOMATIC IMMUNITY AND CONSULAR NOTIFICATION**

Section: 5
Chapter: 2
Article: 17

GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to adhere to the guidance provided by the U.S. Department of State concerning consular notification and access based on treaty obligations. Adherence to these obligations helps foreign governments provide assistance to foreign nationals arrested in the United States and helps the U.S. government protect U.S. citizens abroad. This department shall ensure that all foreign nationals are treated with respect and provided with immunities under international law where applicable.

DEFINITIONS

Foreign National: For the purposes of consular notification a foreign national is any person who is not a U.S. citizen. Lawful permanent resident aliens (or LPRs) who have resident alien registration cards (green cards) retain their foreign nationality and must be considered foreign nationals. The terms foreign national and alien are used interchangeably. Undocumented or illegal aliens are also foreign nationals.

Detainee: A detainee in this context is a foreign national who is arrested or placed in custody pending investigation or judicial appearance, or both. Brief stops of such persons for motor vehicle violations or similar incidents are not considered detentions for purposes of this policy.

Consul or Consular Officer: A citizen of a foreign country employed by that government and authorized by both the sending and the host countries to provide assistance on behalf of that government to its citizens in another country. Such persons are generally assigned to a consular section of an embassy in Washington, D.C., or to a consulate in another U.S. city. Consular officers or consuls who are accredited by the U.S. Department of State bear identification cards to that effect issued by the U.S. Department of State.

Mandatory Notification: As identified in this policy, certain foreign nations have entered into specific bilateral agreements with the United States requiring that their consulate or embassy be notified of any arrest or detention of a foreign national of their country regardless of the desires of the arrested or detained foreign national.

Notification at the Foreign National's Option: Foreign nationals from countries that are parties to the Vienna Convention on Consular Relations (VCCR) must be provided with the option of having the consulate notified of their arrest or detention. If the detainee requests notification, a responsible detaining official must ensure that notification is given to the nearest consulate.

Diplomatic Immunity: A requirement by international law under which certain foreign government officials are not subject to the jurisdiction of local courts and authorities, for both their official and, to a large extent, their personal activities.

Inviolability: A principle embodied in international law that generally precludes law enforcement officials from handcuffing, arresting, or detaining certain foreign diplomatic officials, in any form, and forbids U.S. authorities from entering the residences, automobiles, or other property of protected persons. Where public safety is in imminent danger or it is apparent that a violent felony may otherwise be committed, police authorities may intervene to the extent necessary to halt such activity or defend themselves or others from personal harm.

STANDARDS AND PROCEDURES**A. Identification**

1. Officers shall identify the foreign national's citizenship in the most efficient manner possible (ex. passport, travel document, or diplomatic card).
2. Only an identity card issued by the U.S. Department of State's Office of Protocol or by the U.S. mission to the United Nations may be used as valid identification for diplomats and consular officials. The identification cards are color coded as follows:
 - a. Blue border: diplomatic officers and their families.
 - b. Green border: embassy administrative, technical, and service staff employees.
 - c. Red border: consular officers, employees, or their families.
3. Foreign diplomatic passports, U.S. diplomatic visas, tax exemption cards, vehicle registration, license plates, and driver licenses should not be used to determine whether an individual enjoys immunity.
4. License plates are designed to assist officers identifying vehicles that belong to persons who may enjoy some degree of immunity, however, in no circumstance should the license plate be used alone to verify the status of an individual claiming immunity.
5. License plates issued by the U.S. Department of State are coded to reflect the degree of immunity which the registered owner of the vehicle enjoys:
 - a. Plates with a "D" prefix or suffix are issued to diplomatic missions and those members who hold diplomatic rank.
 - b. Plates with a "C" prefix are issued to consular missions and career consular officers.
 - c. Plates with a "S" prefix are issued to the administrative and technical staff at diplomatic missions and consular employees at consular missions.



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- d. Plates with an "A" prefix or suffix are issued to official vehicles of the Secretariates of the United Nations and the Organization of American States and the personally owned vehicles of those staff members who have diplomatic status.
- 6. When legal grounds permit, officers should detain an individual who is unable to produce valid identification but claims diplomatic immunity. He or she shall be informed of the reason for detention until the U.S. Department of State's Office of Protocol (202-647-1985 during business hours or Bureau of Diplomatic Security, 202-647-7277 after business hours) can confirm the proper identity.
- B. Traffic Violations for Persons with Immunity
 - 1. Officers shall issue traffic citations as normal to individuals with immunity. However, the individual is not required to sign the citation.
 - 2. Officers shall fax a copy of the citation along with any other pertinent documentation to the U.S. Department of State as soon as possible (202-895-3613).
 - 3. Officers shall give the option to cited individuals, for paying the fine or obtaining a court date in order to contest the charge.
 - 4. Officers shall contact the U.S. Department of State in serious incidents such as DWI, DUI, personal injury, or accidents by telephone.
 - 5. Officers shall follow departmental policy in cases involving DWI but may not force the individual to comply with sobriety tests.
 - 6. The officer shall not impound or seize the individual's vehicle for a traffic or DWI violation, but may remove a vehicle from obstructing traffic or endangering public safety.
 - 7. The officer shall not search or seize any items from the individual's vehicle.
 - 8. If a vehicle that is owned by a foreign national is suspected of being stolen or used in a crime, the officer shall request vehicle documentation. If it is determined that the vehicle is stolen or has been used in a crime, the vehicle may be searched and impounded.
 - 9. The officer shall fax a copy of the violation to the U.S. Department of State promptly after an incident.
- C. Detaining Foreign Nationals and Immunity
 - 1. Officers shall request a supervisor when arresting or detaining an individual who claims to be a foreign national, consul, or diplomat regardless of the individual's immunity status.
 - 2. If a person claims immunity when arrested or detained, the burden of proof shall be on the individual to provide proper identification. Officers shall notify a supervisor and make all reasonable attempts to verify the individual's claim of immunity.
 - 3. Until an individual's status of inviolability has been confirmed in situations that warrant criminal arrest, the individual shall be handcuffed and searched if he or she could reasonably pose a threat.
 - 4. Once the individual's status of immunity has been confirmed, he or she shall be released immediately and the incident shall be fully documented in accordance with this policy.
 - 5. Officers shall prepare cases carefully and completely, and document each incident properly so that charges may be pursued as far as possible in the U.S. judicial system. The U.S. Department of State will, in all incidents involving persons with immunity from criminal jurisdiction, request a waiver of immunity from the sending State if the prosecutor advises that but for such immunity he or she would prosecute or otherwise pursue the criminal charge.
 - 6. A copy of the incident report should be faxed or mailed to the U.S. Department of State.
- D. Consular Notification Obligations
 - 1. Consular notification obligations are triggered upon any one of the following situations:
 - a. The arrest or detention of a foreign national,
 - b. The death or serious injury of a foreign national, and
 - c. A wreck or crash in U.S. territory of a ship or aircraft under foreign registry.
 - 2. In cases where a foreign national is the victim of a serious crime or felony, the officer or supervisor shall ask the victim whether he or she would like consular notification to be made. The Federal Bureau of Investigation (FBI) shall be notified when any of the following acts have been committed against a foreign national:
 - a. Murder or attempted murder.



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- b. Conspiracy to commit murder.
 - c. Manslaughter or attempted manslaughter.
 - d. Kidnapping or attempted kidnapping.
3. Officers who suspect that a person being arrested or detained is not a U.S. citizen shall inquire about his or her nationality in order to determine whether any consular notification obligations apply. When such requests are made, the officer should explain the purpose of the inquiry.
4. If an arrestee or detainee indicates that he or she is a foreign national, he or she should be asked for a passport or green card as identification. Officers shall determine the foreign national's country using the identification information provided. Undocumented illegal aliens are also entitled to consular notification and access. Absent any citizenship documentation, accept the foreign national's own statement about nationality. If it is determined that the person is an illegal alien, the officers may send the information to the U.S. Immigration and Customs Enforcement (ICE) upon approval of a supervisor and document the notification in the incident report.
5. Persons who indicate that they are U.S. citizens shall be presumed to be citizens.
6. Persons who indicate that they are dual citizens of another country and the United States shall be treated as a U.S. citizen, consular notification is not required.

E. Mandatory versus Optional Notification

1. Foreign nationals shall be informed of the option to communicate with their consular officials whenever they are arrested or detained.
 - a. In most cases, foreign nationals shall have the option of deciding whether to have their consular representative notified of the arrest or detention. This applies in all cases except foreign nationals who are citizens of the states listed in annex 1 of this policy.
 - b. Those nations listed in annex 1 of this policy have bilateral treaties with the United States that require authorities to make notification to consular officials of the arrest or detention of one of their nationals, regardless of that national's wishes.
2. The arresting officer or supervisor shall notify an arrested or detained foreign national when a mandatory notification has been made to his or her consulate or embassy.
 - a. The individual shall be advised that he or she is not required to accept the consulate's assistance, but that the consulate may be able to help obtain legal counsel, contact family members, and visit the individual in detention, among other things.
 - b. In most cases, the reason for the arrest and detention does not have to be volunteered to the consular official; it should be provided only when specifically requested by the official or when it is required under a specific provision in a bilateral treaty.
 - c. Mandatory notification requirements must be honored, even if the officer has reason to believe that the foreign national may suffer persecution or mistreatment by his or her government, though precautions should be taken to prevent the release of sensitive information.
3. Under no circumstances shall any information indicating that a foreign national has applied or is considering applying for asylum be disclosed to a foreign national's government official.

F. How to Provide Notification

1. When an officer believes that consular notification may be required, he or she should notify a supervisor.
2. The supervisor should verify the country of origin of the foreign national and determine whether consular notification is at the option of the foreign national or whether it is mandatory.
3. In the case of optional notifications, the supervisor or detaining officer shall ascertain whether the foreign national desires that the notification be made.
4. Statements shall be provided to foreign nationals for review and signature as provided in annex 2 of this policy. Translations of these statements are available in the Consular Notification and Access booklet provide by the Department of State or through the State Department's Website at www.travel.state.gov/law/consular/consular_749.html. A signed copy of this form shall be retained in the arrest or booking file.
5. Notifications to consuls or embassies should be made by facsimile transmission as soon as reasonably possible and a copy of the completed fax transmission verification sheet retained with arrest or booking records. A suggested fax sheet for notification to foreign consuls and a list of foreign embassies and consulates in the United States with contact information is provided on the State Department's Web site at www.travel.state.gov/law/consular/consular_753.html.
6. The prosecutor's office should be notified whenever a consular notification has been made.



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7. Consular officials shall also be notified in the foregoing manner upon the death of a foreign national that comes to the attention of this department and in incidents involving wrecks or crashes in U.S. territory of ships or airplanes registered to foreign countries.
 8. The department shall keep a written record of each instance a consul has been contacted to demonstrate that it has complied with the notification requirements set forth by the U.S. Department of State.
- G. Consular Access to Detained Foreign Nationals
1. This department shall provide consular officers with reasonable access to detainees who request such access consistent with this department's policy and procedures governing visitation of detainees.
 2. Authorized personnel shall permit the transmission of communications from foreign nationals to their respective consular official provided the transmissions are of reasonable duration and frequency.
 3. Consular officials shall not serve as legal counsel for their foreign national constituents and do not retain attorney-client privileges. However, consular officials may be allowed to converse privately with their constituent if they so request and the request can be reasonably accommodated.
 4. Consular officers may provide the following types of assistance to a detainee under the terms of international agreements, although such services vary by the capabilities of country representation in the United States:
 - a. Determine the detainee's situation and needs,
 - b. Arrange for legal counsel and monitor case progress,
 - c. Contact authorities concerning the conditions of confinement and bring personal items to the detainee as permitted by departmental policy, and
 - d. Contact the detainee's family on his or her behalf.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.

Annex 1. Countries and jurisdictions that by bilateral treaty require consular notification are as follows:

Algeria, Antigua and Barbuda, Armenia, Azerbaijan, Bahamas, Barbados, Belarus, Belize, Brunei, Bulgaria, China (notification is not mandatory in the case of persons who carry Republic of China passports issued by Taiwan; such persons should be informed without delay that the nearest representative of the Taipei Economic and Cultural Representative Office can be notified at their request), Costa Rica, Cyprus, Czech Republic, Dominica, Fiji, Gambia, Georgia, Ghana, Grenada, Guyana, Hong Kong (notification should be made to nearest Chinese consulate), Hungary, Jamaica, Kazakhstan, Kiribati, Kuwait, Kyrgyzstan, Malaysia, Malta, Mauritius, Mexico, Moldova, Mongolia, Nigeria, Philippines, Poland (nonpermanent resident aliens only), Romania, Russia, Saint Kitts and Nevis, Saint Lucia, Saint Vincent and the Grenadines, Seychelles, Sierra Leone, Singapore, Slovakia, Tajikistan, Tanzania, Tonga, Trinidad and Tobago, Tunisia, Turkmenistan, Tuvalu, Ukraine, United Kingdom (includes England, Scotland, Wales, Northern Ireland and Islands, and the British dependencies of Anguilla, British Virgin Islands, Bermuda, Montserrat, and the Turks and Caicos Islands; their residents carry British passports), U.S.S.R. (passports may still be in use), Uzbekistan, Zambia, Zimbabwe.

Annex 2. Consular notification statements for foreign nationals:

When consular notification is at the foreign national's option under the VCCR: As a non-U.S. citizen who is being arrested or detained, you are entitled to have us notify your country's consular officers here in the United States of your situation. You are also entitled to communicate with your consular officers. A consular officer may be able to help you obtain legal representation, and may contact your family and visit you in detention, among other things. If you want us to notify your consular officers, you can request this notification now, or at any time in the future. Do you want us to notify your country's consular officials? Yes No Signature: _____ Date: _____

When consular notification is mandatory: Because of your nationality, we are required to notify your country's consular officers here in the United States that you have been arrested or detained. We will do this as soon as possible. In addition, you are entitled to communicate with your consular officers. You are not required to accept their assistance, but your consular officers may be able to help you obtain legal representation and may contact your family and visit you in detention, among other things.



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IX

Diplomatic and Consular Privileges and Immunities From Criminal Jurisdiction

Summary of Law Enforcement Aspects

Category	May Be Arrested or Detained	Residence May Be Entered Subject to Ordinary Procedures	May Be Issued Traffic Citation	May Be Subpoenaed as Witness	May Be Prosecuted	Recognized Family Member
Diplomatic Agent	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Member of Administrative and Technical Staff	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Service Staff	Yes ²	Yes	Yes	Yes	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
Career Consular Officers	Yes, if for a felony and pursuant to a warrant. ²	Yes ³	Yes	No—for official acts. Testimony may not be compelled in any case.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
Honorary Consular Officers	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.
Consular Employees	Yes ²	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes. ²	No immunity or inviolability. ²
International Organization Staff ³	Yes ³	Yes ³	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes. ³	No immunity or inviolability.
Diplomatic-Level Staff of Missions to International Organizations	No ¹	No	Yes	No	No	Same as sponsor (full immunity and inviolability).
Support Staff of Missions to International Organizations	Yes	Yes	Yes	No—for official acts. Yes, in all other cases.	No—for official acts. Otherwise, yes.	No immunity or inviolability.

¹Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or the prevention of serious criminal acts.

²This table presents general rules. Particularly in the cases indicated, the employees of certain foreign countries may enjoy **higher** levels of privileges and immunities on the basis of special bilateral agreements.

³A small number of senior officers are entitled to be treated identically to "diplomatic agents."

⁴Note that consular residences are sometimes located within the official consular premises. In such cases, **only** the official office space is protected from police entry.



RIO RANCHO

POLICE

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STANDARDS AND PROCEDURES

K-9 TEAM

Section: 5
Chapter: 2
Article: 18

GENERAL STANDARD

The Department will provide guidelines for the management and tactical deployment of canines for a variety of operational purposes. Because of their superior senses of smell, hearing, and physical capabilities, the trained law enforcement canine is a valuable supplement to police manpower. However, utilization of canines requires adherence to procedures that properly channel their specialized capabilities into legally acceptable crime prevention activities. K-9 teams are useful in:

1. Detecting narcotics and controlled substances
2. Building searches
3. Evidence searches
4. Tracking of missing persons and criminal suspects
5. Providing backup for violent calls
6. Providing a psychological deterrent at potentially volatile situations
7. Community relations through demonstrations

This standard is not intended to be more restrictive than current laws governing the use of law enforcement canines in the State of New Mexico.

DEFINITIONS

K-9 Team: A sworn law enforcement MOS/handler and the assigned police K-9.

K-9: A trained Police Service Dog utilized to assist in law enforcement matters, to include but not limited to; suspect searches and apprehensions, narcotics detection, explosives detection, cadaver detection, and search and rescue.

Deployment: Any circumstance in which the Handler uses his or her K-9 in an attempt to aid in the resolution of any police situation.

Apprehension: An instance in which the use of a K-9 is directly responsible for the apprehension of a suspect.

STANDARDS AND PROCEDURES

A. Suspect searches and apprehension: A K-9 may be utilized to search for and apprehend a fleeing or resistant suspect should the suspect's crime warrant the K-9's use. The use of a K-9 should not be considered in any one part of the Reactive Control Model (RCM). The variety of deployment techniques allow for the K-9 to operate within several categories of the RCM. The handler shall deploy the K-9 consistent with their training and experience.

1. Deployment:

- a. The decision to deploy a K-9 should be based on objectively reasonable facts.
- b. The handler shall consider:
 - 1) The severity of the crime,
 - 2) Whether the suspect poses an immediate threat to MOS or others,
 - 3) Whether the suspect is actively resisting arrest or attempting to evade arrest.
 - 4) The conditions and environment of the area to be searched.

2. MOS may request the use of a K-9 for tracking, assisting in the arrest of, or the search for, serious or violent offenders, or the protection of MOS from death or serious injury.

a. MOS shall:

- 1) Stop and pinpoint the location where the suspect was last seen,
 - 2) Shut off engines of vehicles in the area if possible,
 - 3) Avoid vehicle or foot movements in the area where the suspect or subject was last seen, and
 - 4) Pay close attention to the handler for directions to avoid injury.
- b. On-scene personnel shall secure the perimeter of the area or building to be searched by keeping personnel out of the area.
- c. At least one additional MOS shall accompany the K-9 team to provide cover as directed by the handler.



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- d. Canines should remain on a leash of sufficient length to provide a reasonable measure of safety to the subject of the search without compromising the canine's tracking abilities.
 - 1) Searches may be conducted off leash within the immediate vicinity of the handler, at the handler's discretion.
 - 2) Announcements identifying the Department and the intended use of the K-9 shall be made before the K-9 is released unless exigent circumstances exist.
 - 3) The handler will make every effort to record (by audio, video, or both) the announcement and entirety of the search.
- 3. The K-9 may be used to apprehend a suspect using a bark and hold technique or physical restraint proportional to the suspect's actions. If the apprehension results in a bite:
 - (a) The injured person will be afforded medical attention as soon as practical,
 - (b) The K-9 team's supervisor shall be notified,
 - (c) The K-9 handler shall submit a Use of Force Report, and any other report as directed, and
 - (d) A Field Investigator will photograph and document the injuries incurred as a result of the canine's use.
- 4. Accidental or Unintentional Bite.
 - a. An accidental or unintentional bite is when the K-9 bites a suspect/individual contrary to their training or the K-9 bites an unintended individual. This section is not intended to govern accidental or unintentional bites that may occur in training. For accidental or unintentional bites outside of training, the Handler shall:
 - 1) Afford the injured person medical attention as soon as practical,
 - 2) Notify the Chain of Command,
 - 3) Submit an Offense Incident Report or any other report as directed,
 - 4) Request a Field Investigator to photograph and document the injuries sustained and the environment in which the accidental or unintentional bite occurred.
 - b. The same criteria for documentation and notification should be used for accidental or unintentional bites incurred in training that result in substantial or serious injury.
- B. Narcotics detection: K-9 teams are helpful in the detection of Cocaine HCl and Cocaine Base (powdered and Crack Cocaine), Hashish, Heroin, Marijuana (Cannabis), Methamphetamines, or other controlled substances that may be derivatives of the above.
 - 1. K-9 searches (sniffs) for drugs are authorized when search warrant has been obtained, consent has been granted, subsequent to a lawful arrest, where reasonable suspicion exists that illegal drugs are being possessed, or when there is no reasonable expectation of privacy in the item(s) to be searched.
 - a. A K-9 team should not direct a search of the exterior of residences, either individual dwellings or the common areas of multiple dwellings without a search warrant or consent or as otherwise allowable by state or federal law due to a heightened expectation of privacy by the occupant(s) of the premises.
 - b. School administrators may request the use of drug detection canines on school property in compliance with written school policy. The K-9 search should be limited to inanimate objects where there is no reasonable expectation of privacy. School searches must be approved by the Chief or his designee unless the search is incident to a crime or exigent circumstances exists.
 - c. A K-9 sniff is allowable on the exterior of vehicles. The initial stop of the vehicle must be valid and not a ruse for the unstated purpose of conducting a K-9 sniff. The detention period should not exceed a reasonable time.
 - d. K-9 sniffs will not be directed toward people.
 - e. If not specifically addressed in the aforementioned guidelines, MOS shall use the direction of the K-9 handler to determine the permissible scope of K-9 searches.
 - f. Circumstances that K-9 teams may be deployed are, but not limited to consensual searches on vehicle stops, to assist in determining probable cause for a search warrant during an investigation, drug interdiction in public areas, searches relative to search warrant executions, community relations demonstrations, and assisting other law enforcement agencies.



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- g. Handlers shall take appropriate action when the K-9 spontaneously alerts to a controlled substance in any place the K-9 team has a lawful right to be.

C. Request for K-9 team Response

1. K-9 teams are subject to call while off-duty. Actual use may be limited due to availability.
2. K-9 team assistance may be requested from any MOS while the K-9 team is on-duty and through an immediate supervisor when the K-9 team is off-duty.
3. The K-9 team should be thoroughly briefed by the requesting MOS or on-duty supervisor.
4. The handler will decide whether the K-9 would be helpful based on the criteria given. If the handler decides that the K-9 should not be deployed, this decision should be explained to the requesting MOS and the on-scene supervisor.
5. If an agreement cannot be reached concerning the canine's use, the K-9 supervisor should be consulted.
 - a. Normally, the K-9 supervisor will defer to the K-9 handler's judgment; however, the K-9 supervisor will have the final decision in any difference of opinion.
 - b. If the K-9 supervisor orders the K-9 handler to comply with the on-scene supervisor, then the K-9 supervisor will be responsible for any such action.

D. Training

1. K-9 handlers shall be required to attend and successfully complete a basic K-9 handler-training program for each area the K-9 will be providing service. Training shall consist of at least:
 - a. 120 hours for narcotics detection, or
 - b. 240 hours for patrol service (detection and apprehension).
2. K-9 teams shall be certified for use by a qualified agency or entity. Re-certification will be completed every two years at minimum.
3. Handlers shall maintain files on their K-9, which will be kept in the Department as a permanent file for audit and review. These files shall include
 - a. Training Records
 - b. Certification and re-certification data
 - c. Memorandums or reports reflecting injury inflicted by the K-9,
 - d. Deployment and apprehension reports,
 - e. Medical records,
 - f. Monthly reports,
 - g. Awards and certificates, and
 - h. Any other information as designated by the K-9 supervisor.
4. All training documentation shall be forwarded to the training division.
5. The K-9 supervisor shall audit the K-9's permanent file every six months.
6. K-9 teams shall conduct weekly maintenance training as required to maintain their certification, notwithstanding MOS on benefit time off.
7. Quarterly activity reports shall be completed by the K-9 Team Supervisor.
8. Controlled substances may be used at the authority of the K-9 Team Supervisor for training purposes. These substances will be procured by conversion authorized by a district court judge. The substances will be logged in and out of Evidence Storage by the K-9 Team Supervisor or his/her designee. All conversion orders will be maintained by the Evidence Section. The K-9 Team Supervisor will audit the authorized training substances for weight and condition on a biannual basis and will document any discrepancies as a result of age and routine handling.

E. K-9 Handler Selection



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1. Sworn MOS applying for K-9 handler should exhibit the following positive traits:
 - a. Attitude – The MOS should enjoy being around dogs and have no intrinsic fear of them. The MOS's attitude is important since the K-9 can sense its handler's responsiveness and will react to those feelings.
 - b. Patience – K-9 training requires a great deal of repetition and reinforcement. If the prospective handler is impatient and prone to lose his or her temper, the MOS will be ineffectual in K-9 training.
 - c. Physical Condition – Handlers are frequently required to exert substantial physical effort in training and working their K-9 in the field. Prospective K-9 handlers should be in good health and excellent physical condition.
 - d. Dependability – The handler is responsible for the overall welfare of his or her dog to include daily grooming and feeding and health care. The handler must be willing to devote additional time and effort to these and other related tasks.
2. K-9 handler candidates shall be non-probationary sworn MOS.

F. K-9 Selection

1. Canines purchased for use by the Department should be bred specifically for police use.
2. The prospective law enforcement K-9 shall be carefully evaluated for any of the following disqualifying characteristics:
 - a. Noise and gunfire shyness.
 - b. Over-aggressiveness.
 - c. Age (too young or too old).
 - d. Potentially disqualifying medical conditions such as hip dysplasia, hearing or vision defects.

G. K-9 Use and Care

1. Police canines shall not be used for breeding, participation in shows, field trials, exhibitions or other demonstrations, or off-duty employment unless authorized by the Chief or his designee.
2. Handlers shall maintain their K-9 in a safe and controlled manner both on and off duty. Police canines shall never
 - a. be allowed to run loose unless engaged in agency authorized training or exercise.
3. The Department shall provide K-9 handlers with proper housing for their K-9. The K-9 Team Supervisor will conduct periodic inspections to ensure that the housing is properly maintained. Inspections shall be conducted quarterly at minimum.
4. K-9 handlers are personally responsible for the daily care and feeding of their animal. Only a Department approved handler or kennel employee will care for the K-9. Maintenance and care includes, but is not limited to;
 - 1) Maintenance, cleaning and security of the kennel and yard area where the K-9 is housed.
 - b. Maintenance of the housing area within their assigned K9 Unit.
 - c. Provision of food, water, and general diet maintenance as prescribed by the Department authorized veterinarian.
 - d. Grooming on a daily basis or more often as required by the weather, working conditions, or other factors.
 - e. Daily exercise.
 - f. General medical attention and maintenance of health care records.
5. K-9 handlers shall immediately notify the K-9 supervisor of any changes that would affect the housing conditions of their K-9.
6. Where the handler is unable to perform these and related duties due to illness, injury, or leave, another K-9 handler may be assigned to temporarily care for the dog or the K-9 may be housed in a Department approved boarding kennel.
7. Teasing, agitating, or roughhousing with a police K-9 is strictly prohibited unless performed as part of a training exercise.
8. Handlers shall discourage anyone wanting to pet or hug their K-9 without their prior permission and immediate supervision.



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H. A K-9 handler may request to take personal possession of a K-9 when:

1. The K-9 is retired from duty due to tenure,
2. Relieved from duty due to injury, or
3. The handler is transferred, promoted or retires and a decision is made not to retrain the K-9 for another handler.

I. Each handler will be responsible for the care and maintenance of issued equipment.

1. All issued equipment shall be returned to the Department when the MOS is no longer utilized as a K-9 handler.

J. Uniforms

1. On-duty handlers shall wear an approved duty uniform.
2. The K-9 handler may elect to wear a Department approved jacket, windbreaker or polo shirt when called out during off-duty hours.

K. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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RESERVE PROGRAM

Section: 5
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GENERAL STANDARD

It is the goal of the Rio Rancho Police Department to ensure efficiency by establishing and managing a police reserve unit.

STANDARDS AND PROCEDURES

A. Police Reserve Unit

1. The Police Reserve Unit is composed of persons who are appointed and sworn in as reserve officers by the Chief of Police. Their purpose is to augment and/or supplement the Department where needed.

B. Reserve Unit Logistics

1. Call Signs

- a. Call signs will be issued to all Reserve Officers by the Support Services Deputy Chief.

2. Organizational Structure

- a. The administration and control of the Rio Rancho Police Department Reserve Unit is the responsibility of the Administrative Lieutenant, assigned to the Support Services Bureau.

- i. The Administrative Lieutenant will serve as the Reserve Officer Coordinator

- b. When assigned to a specific task or operation Reserve Officers shall report to the appropriate chain of command.

3. Reserve Officer Coordinator duties

- a. The Reserve Officer Coordinator shall:

- i. Perform his/her normal duties, along with the control and monitoring of all Reserve Officers.

- ii. Respond to all Reserve Officer concerns, both external and internal in a timely manner.

- iii. Be responsible for monitoring the Reserve Officers while operating in their assignments and during all training, meetings, and other events.

- iv. Be responsible for monitoring the performance of Reserve Officers and take the necessary steps to ensure their competence, compliance with all policies, and effective utilization.

- v. Prepare reports, requests, and other actions or correspondence as required to ensure that Reserve Officers are properly informed, trained, and utilized and that Department leadership is informed of the status of the program.

- vi. Schedule training, meetings, and other events as required in support of the Reserve Program.

4. Reserve Officer Uniform and Equipment

- a. The Reserve Officers shall conform to Department uniform standards.

- b. When performing purely administrative tasks, a uniform is not necessary and the Reserve Officer should be in business attire.

- c. Due to Reserve Officers police authority restrictions, Reserve Officers will not be permitted to wear the police uniform outside of duty hours.

- d. The Reserve Officers will be issued a Reserve Officers badge. This will be the only authorized badge for Reserve Officers.

- i. The Reservist badge will only be worn on the uniform or while in performance of official duties.

- ii. At no time will the badge be worn or carried in a non-official capacity.

- iii. Reserve Officers will not be allowed to purchase badges from outside vendors

- e. Reserve Officers shall only be equipped and utilize Department approved equipment.

C. Reserve Officer Duties, Limitations, and Eligibility

1. Duties



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- a. Reserve Officers must be willing to perform as a Police Officer in the maintenance of peace, suppression of crime, control of public disorder, and control and direction of traffic.
- b. Reserve Officers can lend additional expertise to various functions and operations of the Department. Reserve Officers who possess special knowledge, skills, abilities, and certifications are encouraged to contribute their expertise to the Department.

2. Limitations

- a. No Reserve Officer shall be:
 - i. Requested or required to aid in problems dealing with police labor disputes.
 - ii. Required to work, or compensated by the City when performing police duties.
- b. Reserve Officers who are performing work on behalf of their private employer or self-employed will use care to ensure that they in no way are indicating that they are functioning in a Reserve Officer capacity.
- c. Reserve Officers shall not be employed in any business that might result in a conflict of interest with the standards of the Department.
- d. Reserve Officers shall not commit or omit any acts that constitute a violation of any of the rules, regulations, directives, or orders of the Department.

3. Eligibility for Membership

- a. Reserve Officer Applicants shall meet the same minimum hiring requirements as a police cadet, at the discretion of the Chief or his designee.
- b. Applicants with prior police service must also have separated from regular service under conditions which would allow for rehire.
 - i. Applicants with prior police service with the Rio Rancho Police Department, who are still Certified Police Officers may be accepted as Reserve Officers.
- c. Membership in the Reserve Officer Unit will be at the discretion of the Chief of Police.
- d. Applications for membership will be overseen by the Reserve Officer Coordinator.

D. Reserve Officer Authority

- 1. Reserve Officers will have similar authority and obligation as salaried officers with the following conditions:
 - a. The reservist shall be under the general supervision and/or accompanied by an on-duty full-time salaried officer to exercise that authority.
 - b. Reserve Officers shall not act independently in the course of their duties unless significant exigent circumstances exist.
 - c. Reserve Officers shall not sign traffic citations, criminal complaints or other court documents.
 - d. Reserve Officers may complete offense/incident reports but must include the name and employee number of the accompanying full-time, salaried officer.
 - e. Reserve Officers shall not engage in any law enforcement activities, nor will they utilize any Department property while off-duty.
 - f. This authority may be restricted or limited by the Chief of Police or his designee.

E. Reserve Officer Obligations

- 1. Duty Hours
 - a. Reserve Officers shall work at least 8 hours per month and 96 hours each year to maintain certification.
 - b. If a reservist is prevented by his occupation/travel from fulfilling minimum patrol time requirements during any month, the following will apply:
 - i. The reservist will be provided the opportunity to make up the requisite hours the following month.
 - ii. Failure to meet the monthly requirement for two consecutive months will be grounds for removal from the program, at the Chief's discretion.



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- iii. Failure to fulfill 2 shifts or the equivalent thereof (16 hours) in a rolling calendar year will be grounds for removal from the program.
- c. Reserve Officers shall attend monthly and quarterly Reserve meetings.
- d. Reserve Officers shall document time worked each month as directed by the Reserve Officer Coordinator.
 - i. Failure to document hours worked in a timely manner may result in corrective or disciplinary action.
 - ii. Required documentation of hours worked should be documented on a Department timesheet and turned in no later than the Monday following the last pay period.
- e. Reserve Officers shall be subject to an evaluation with an FTO annually, or as deemed necessary by the Reserve Officer Coordinator.
- f. Reserve Officers shall attend court as they are subpoenaed in regards to cases they are involved in.

2. Duty Assignment

- a. Authorization to work an assignment outside of patrol operations is at the discretion of the Chief of Police or his designee.

3. Leave of Absence

- b. With the approval of the Chief of Police, a Reserve Officer may be granted a leave of absence for a period not to exceed one year.
 - i. When the officer returns from the leave of absence, the Reserve Officer Coordinator will consult with the Training Sergeant.
- b. A leave of absence must be in accordance with state mandates to prevent decertification.

4. Injury or Illness Reporting

- a. Reserve Officers are covered by Workman's Compensation for injury or illnesses incurred while on duty as outlined in City Work Rules.
 - i. It is the responsibility of each Reserve Officer to immediately report any on-duty injury or illness to the on-duty supervisor (Sergeant or Lieutenant), and the Reserve Officer Coordinator, as soon as possible.
- b. When injured off-duty or when sufficiently ill to preclude acceptance of reserve assignments, officers shall notify the Reserve Officer Coordinator as soon as possible.
- c. To ensure continued conformity to NMSA 29-7-6a, a psychological Fit for Duty evaluation may be required, should behaviour indicate such need.

5. Liability Protection

- a. Reserve Officers will be provided public liability protection while acting within the scope of their duties, as outlined in the Departmental Standards and Procedures.

6. Separation from Service**a. Resignation**

- i. A resignation is a voluntary separation from the Department.
- ii. A letter of resignation, including the effective date of separation and reason, shall be submitted to the Chief of Police through the Reserve Officer Coordinator.

b. Dismissal

- i. A Reserve Officer may be dismissed from the Reserve Unit for violating any section of the Department Standards and Procedures, or any City Work Rules.

c. Requirements upon Separation from Service

- i. Reserve Officers who resign or are dismissed are required to report to the Reserve Officer Coordinator's office during normal working hours and complete the following:
 - a. All issued equipment must be returned and accounted for by the Quartermaster.



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- 1) An exit form shall be completed.
- b. If the Reserve Officer has resigned, a "resignation interview" shall be conducted by the Reserve Officer Coordinator.

- ii. Reserve Officers may receive a plaque commemorating their years of service at the discretion of the Chief of Police.

F. Reserve Officer Training

1. Reserve Academy Training

- a. Non-Certified Reserve Officers shall attend a Reserve Academy.
- b. All Reserve Officers are required to read, initial, and receive a copy of the Rio Rancho Police Standards and Procedures Manual prior to release from FTO.
- c. Reserve Officers will be responsible for adhering to and held accountable for all Department policies and procedures while performing the functions and duties of a Reserve Officer.

2. State Certified Reserve Officers

- a. All reservists will be required to complete all hiring and training requirements as per LEA Rules and Regulations, Title 10, Chapter 29, Part B NMAC.

3. Field Training Program

- a. Upon graduating from the Reserve Academy, each Reserve Officer will be required to successfully complete 180 hours of supervised field training within a six-month period.
- b. All field training shall be with a certified Field Training Officer.

4. In-Service Training

- a. All in-service training will be coordinated by the Reserve Coordinator.
- b. Reserve Officers are required to attend all phases of the biennium training and any other departmental training as required by the Reserve Officer Coordinator.

5. Firearms Training and Qualification

- a. Reserve Officers shall qualify and train semi-annually with the weapon(s) carried on duty as per the Department Policy.
- b. Firearms qualifications will be scheduled by the Reserve Coordinator.
- c. Reserve Officers shall supply their own handguns for duty service. The handgun will be restricted to the current firearms policy of the Department. These handguns are subject to inspection annually by a Department Armorer.
- d. No other firearms are to be issued to Reserve Officer's without written authorization from the Chief of Police.

G. Request for Reserve Assistance

1. Requests for Reserve assistance are received from two main sources, internal and external.

- a. Internal requests for assistance may originate from any command within the Rio Rancho Police Department. Requests should be sent to the Reserve Officer Coordinator two (2) weeks in advance of the need when practical.
- b. External requests, once approved, shall be forwarded to the Reserve Officer Coordinator.

2. All requests for Reserve assistance will be reviewed by the Reserve Officer Coordinator. The request originator will be notified of any changes made and if the request can be honored. The approved original request will be kept on file.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

FIELD INTERVIEWS AND PAT-DOWN SEARCHES

Section: 5
Chapter: 2
Article: 20

GENERAL STANDARD

The field interview is an important point of contact for MOS in preventing and investigating criminal activity. But even when conducted in strict conformance with the law, interviews and pat-downs may be perceived by some as harassment, intimidation, or discriminatory. In order to maintain the effectiveness and legitimacy of this practice and to protect the safety of MOS in approaching suspicious individuals, MOS shall conduct field interviews and pat down searches in conformance with Department procedures.

STANDARDS AND PROCEDURES

A. Field Interviews

1. MOS may stop individuals to conduct field interviews only when reasonable suspicion is present. Reasonable suspicion must be more than a hunch or feeling, but need not meet the test for probable cause sufficient to make an arrest. In justifying the stop, the MOS must be able to articulate facts which, when taken together with rational inferences, reasonably warrant the stop. Such facts include, but are not limited to:
 - a. The appearance of the person suggests he is part of a criminal enterprise or is engaged in a criminal act,
 - b. The actions of the person suggest that he is engaged in criminal activity,
 - c. The hour of the day or night is inappropriate for the person's presence in the area,
 - d. The person's presence in a neighborhood or location is inappropriate,
 - e. The person is carrying a suspicious object,
 - f. The person's clothing bulges in a manner that suggests a weapon is being carried,
 - g. The person is located in proximate time and place to an alleged crime, or
 - h. The MOS has knowledge of the person's prior criminal record or involvement in criminal activity.
2. When conducting a field interview, MOS shall:
 - a. Identify themselves as law enforcement officers by announcing their identity and displaying Department identification such as, badge and/or commission card,
 - b. Be courteous at all times during the contact but maintain caution and vigilance for furtive movements to retrieve weapons, conceal or discard contraband, or other suspicious actions, and
 - c. Confine their questions to those concerning the person's identity, place of residence and other inquiries necessary to resolve the MOS's suspicions.
3. MOS shall not detain a person longer than is reasonably necessary to make limited inquiries.
4. MOS are not required to give Miranda warnings unless additional information is available or obtained which establishes probable cause for arrest.
5. Persons are not required, nor can they be compelled, to answer any questions posed during a field interview. Failure to respond to a MOS's inquiries is not, in and of itself, sufficient grounds to make an arrest. However, a person's refusal may provide sufficient justification for further observation and investigation.

B. Pat-Down Searches

1. MOS may conduct a pat-down search, for weapons only, of the outer garments of a person subsequent to a legitimate detention and when the MOS reasonably fears for his own safety or the safety of others. Pat-down searches shall not be used as a pretext for obtaining evidence.
2. Not every field interview poses sufficient justification for conducting a pat-down search. The existence of one or more factors may be required in order to support reasonable suspicion for the search. These factors may include:
 - a. Suspected involvement in a crime where the use or threat of a deadly weapon is involved,
 - b. The number of people present,
 - c. The time of day,
 - d. The location of the stop,



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- e. Prior knowledge of the person's use of force and/or propensity to carry deadly weapons,
 - f. The appearance and demeanor of the person,
 - g. Visual indications which suggest that the person is carrying a firearm or other deadly weapon, or
 - h. The age and gender of the person.
3. MOS should conduct pat-down searches in the following manner:
- a. Whenever possible, pat-down searches shall be conducted by two MOS, one of who performs the search while the other provides protective cover.
 - b. Whenever practical, a MOS of the same gender shall conduct the pat-down search.
 - c. Because pat-down searches are cursory in nature, they should be performed in a standing position. However, should a weapon be visually observed, a more secure position such as prone may be used.
 - d. MOS shall only be permitted to externally feel the outer clothing of the person. MOS may not place their hands in pockets unless they feel an object that could reasonably be a weapon or contraband.
 - e. If the person is carrying a container such as a handbag, briefcase, suitcase, sack or other item that may contain a weapon, MOS shall not open the container. MOS should place the container out of reach of the person.
 - f. If the pat-down search fails to disclose a weapon or contraband, no further search may be made. If evidence of a weapon or contraband is present, the MOS may retrieve that item only. If the item is in violation of law, MOS may make an arrest and complete a full custody search.
- C. After conducting a field interview and determining no basis for arrest, the MOS may record the facts of the interview on a field interview card.
- D. This Procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

INCIDENT COMMAND SYSTEM

Section: 6
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Article: 1

GENERAL STANDARD

An Incident Command System (ICS), designed according to acceptable state and federal configuration shall be used when necessary for the command and control of major incidents.

STANDARDS AND PROCEDURES

A. An ICS shall be established at every major incident.

B. Initial Response

1. The first responding MOS to a major incident shall immediately notify Communications of the following information:
 - a. Nature of the incident,
 - b. Hazards,
 - c. Safe approach, and
 - d. Number of potential victims.
2. The first arriving MOS should complete the following tasks:
 - a. Secure a clear frequency to ensure adequate communications.
 - b. Identify the "danger zone" to prevent further incidents from occurring.
 - c. Establish an inner perimeter to control and contain the incident from expanding beyond its original location.
 - d. Establish an outer perimeter to keep unwanted individuals from entering a potentially dangerous area.
 - e. Establish a command post to centralize the processing of information and allocation of resources.
 - f. Identify a staging area so that responding personnel and resources can be identified and deployed expeditiously.
 - g. Identify and request additional resources.
3. Communications shall notify the shift supervisor of the incident and the shift supervisor shall respond without unnecessary delay. Upon arrival, the shift supervisor shall:
 - a. Confirm the incident and implement the ICS,
 - b. Assume the role of Incident Commander (IC), until relieved by qualified MOS,
 - c. Designate an Incident Command Post, and
 - d. Assign a safety officer and a staging officer as soon as staffing levels permit.
 - 1) The safety officer shall establish a system to monitor and record activities when analyzing the hazards and risks of personnel engaged in the incident, and intervene immediately when observing personnel taking unnecessary risk.
 - 2) The staging officer shall coordinate the staging of all resources and their response, and ensure the availability of all vehicle keys.

C. Duties and Responsibilities of the IC

1. Determine the incident's strategic goals and tactical plan.
2. Develop the incident action plan.
3. Develop a command structure appropriate to the incident.
4. Assess resource needs and deploy those resources appropriately upon request of operations.
5. Ensure that safety receives the highest priority.
6. Authorize the release of information to the media.



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7. Coordinate the activities of the incident.
 8. Appoint Section Commanders as needed for specific functions.
 - a. Once all section commands are filled, MOS assigned to that section shall communicate with their section commanders.
 - b. Section commanders shall communicate with their section members, other section commanders, or IC.
 - c. If the incident grows in scope, additional sections may be added, or existing sections may be divided by specialty, creating new sub-sections.
- D. Only Incident Command shall communicate directly with the Communications Center and vice versa.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

USE OF FORCE

Section: 6
Chapter: 1
Article: 2

GENERAL STANDARD

The Department recognizes and respects the value and importance of each human life. In vesting an officer with the lawful authority to use force to protect the public welfare, a careful and constant balancing of all human interests is required. The legal standard used to determine the lawfulness of a use of force is the Fourth Amendment to the United States Constitution. Officers may objectively use reasonable force to carry out their duties. The force used must be reasonable under the circumstances known to the officer at the time it was used. Therefore, the Department examines all use of force incidents from an objective standard rather than a subjective standard. The value of all human life should be appropriately weighed in the decision process. Above all, the safety of the public and the officer must be the overriding concern whenever the use of force is considered.

DEFINITIONS

Officer – For the purpose of this Standards and Procedures section, an officer is any sworn member of the Department.

Objective Reasonableness - The test of reasonableness is not capable of precise definition or mechanical application. The reasonableness of a particular use of force must be judged from the perspective of a reasonable officer on the scene. The officer's perception may be a consideration, but other objective factors will determine the reasonableness of force. These factors may include but are not limited to:

- The severity of the crime(s) at issue;
- Whether the subject poses an immediate threat to the safety of the officers or others;
- Whether the subject is actively resisting arrest;
- Whether the subject is attempting to evade arrest by flight.

Immediate Threat - A subject is an immediate threat to an officer or another person when he or she demonstrates the intent to cause physical harm or actively resists being controlled. The subject must have the means or the capability to carry out the perceived or articulated aggression, and the opportunity to carry out the act.

Lethal Threat – A subject is a lethal threat to an officer or another person when he/she demonstrates any force under the circumstances that may reasonably cause death or great bodily harm and is readily capable of causing death or serious bodily injury.

Static Resistance – A subject is displaying static resistance when he or she refuses to comply with verbal commands and/or attempts to gain physical control by balking, becoming dead weight and/or grasping a solid structure.

Active Resistance – A subject is displaying active resistance when he or she physically resists verbal commands or attempts to gain physical control by either pulling away, attempting to escape or by powering through a control hold.

Combative Resistance – A subject is displaying combative resistance when he/she demonstrates the willingness to engage in combat through verbal challenges, aggressive behavior, or a subject closes distance on an officer or another person causing a reasonable fear of an immediate battery.

Lethal Resistance - The threat demonstrates any force under the circumstances and is readily capable of causing death or serious physical injury.

Use of Force – Any physical effort used in order to effect, influence, or persuade the compliance of an unwilling subject above an unresisted handcuffing procedure.

Lethal Force – A degree of force, which is likely to produce death or serious bodily injury. Lethal Force is not limited to the use of firearms.

Less Lethal Force (LLF) – A degree of force which is neither likely nor intended to cause death.

Less Lethal Force Weaponry – Any weaponry which is neither likely nor intended to cause death.

Less Lethal Force Techniques – Any technique which is neither likely nor intended to cause death Including an officer's hands, legs, knees, elbows, or other body part when used in accordance with this policy.

AFID (Anti-Felon Identification) – Confetti-like pieces of paper that are expelled from the cartridge of the Taser when fired. Each AFID contains an alphanumeric identifier unique to the specific cartridge used.

Crisis Intervention Techniques (CIT) – Skills and techniques that aide officers in the interaction with individuals suffering from mental illness or emotional distress in a manner which increases the likelihood of a safe resolution for both the officer and the person in crisis.

CIT Officer – An officer who has attended a minimum number of hours, as determined by the Department, in specialized or certified training that provides instruction regarding Crisis Intervention Techniques.



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USE OF FORCE

STANDARDS AND PROCEDURES

- A. All officers will apply current Department training standards regarding the use of force to include de-escalation, less lethal force, lethal force, case law, and best practice guidelines.
- B. De-Escalation
 1. The Department recognizes that an officer must exercise control of an individual displaying resistance or to protect others from an immediate threat.
 2. The level of force employed must be commensurate with the threat posed by the subject and the seriousness of the immediate situation. It is recognized and understood that circumstances are fluid and may change rapidly. Officers should rely on their training, experience, and assessment of the situation, to decide the appropriate level of force.
 3. A supervisor and a CIT officer shall be requested whenever an officer learns through observation or otherwise that a situation may develop into a use of force incident. If a person with whom the officer is dealing with may be mentally ill, developmentally disabled, or an emotionally disturbed individual the officer will, if circumstances reasonably permit, request a CIT officer respond to the scene.
 - a. If time and circumstances reasonably permit, officers will use distance, time, verbal persuasion, or other tactics, to de-escalate the situation when dealing with such persons. When a CIT officer arrives on the scene, he or she should be the primary officer responsible for coordinating negotiations with the mentally ill, developmentally disabled, or emotionally disturbed individual unless determined otherwise by the CIT officer or a superior officer.
 - b. Supervisors will monitor high risks calls and ensure compliance with these procedures.
 4. When reasonable under the totality of the circumstances, officers should do the following:
 - a. Assess the risks;
 - b. Use verbal persuasion;
 - c. Gather resources;
 - d. Slow the momentum;
 - e. Communicate and coordinate with other responding officers;
 - f. Seek cover;
 - g. Re-deploy.
- C. Less Lethal Force
 1. An officer may use Objectively Reasonable Less Lethal Force to:
 - a. To gain control or compliance of an individual;
 - b. Overcome a person's resistance;
 - c. Protect an officer or others from the immediate threat or use of non-lethal force;
 - d. Effect a lawful arrest;
 - e. Prevent an escape.
 2. The decision to use LLF on an individual shall be guided by Objective Reasonableness and must be evaluated under the totality of the circumstances known or perceived by the officer at the time the decision to use force is made.
 3. If practical, and without sacrificing a positive disparity of force in the officer's favor, an officer will announce a warning to the subject and other officers of the intent to use LLF.
 4. Officers are authorized to use and carry only the following Department approved LLF weaponry:
 - a. Pepper Spray (OC);
 - b. Expandable Baton;



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- c. Conducted Electrical Weapons (TASER or CEW);
- d. Bean Bag Shotgun.

5. Officers shall not carry or utilize any LLF weaponry unless qualified as established by Department training standards. Officers are authorized the reasonable use of other objects or weapons when exigent circumstances exist.

6. Specialized LLF Weaponry

- a. Upon approval of the Chief of Police, SWAT personnel or other officers may use other specialized LLF weaponry.
- b. All authorized officers shall be trained in the use of specialized LLF weaponry.

7. When an offender has been secured by a restraint device, the use of impact weapons, chemical agents and physical control techniques is prohibited, unless exigent circumstances exist and their use is reasonable.

D. Lethal Force

1. The decision to use Lethal Force on an individual shall be guided by Objective Reasonableness and must be evaluated under the totality of the circumstances known or perceived by the officer at the time the decision to use force is made.

2. An officer may use lethal force under the following circumstances:

- a. To protect the officer or others from what is reasonably believed to be a threat of death or serious bodily injury;
- b. To apprehend or prevent the escape of a fleeing felon whom the officer has probable cause to believe will pose a significant threat to human life should escape occur. An officer shall:
 - 1) When feasible, identify him or herself as law enforcement and state his or her intention to shoot or otherwise use lethal force, and
 - 2) Allow an opportunity for the subject to surrender.
- c. Destroy an animal which is a threat to the public welfare or when requested by an animal control officer or supervisor for humane reasons.

3. An officer shall exercise sound judgment and tactics involving imminent use of force encounters to minimize the threat of death or serious bodily injury to the officer or others, when feasible. When reasonable under the totality of the circumstances, officers should do the following:

- a. Assess the risks;
- b. Use verbal persuasion;
- c. Gather resources;
- d. Slow the momentum;
- e. Communicate and coordinate with other responding officers;
- f. Seek cover;
- g. Re-deploy.

4. All officers shall exercise constant self-discipline and restraint regarding the use of their weapon(s)

- a. An officer shall apply lethal or potentially lethal force to an amount reasonable to stop the threatening actions of a subject.
- b. Warning shots for any purpose are prohibited.
- c. Firing at a moving vehicle may have very little impact on stopping the vehicle. When possible, an officer threatened by an oncoming vehicle shall move out of its path instead of discharging a firearm at it or any of its occupants. An officer shall not discharge a firearm at a moving vehicle or its occupants in response to a threat posed solely by the vehicle unless the officer has an objectively reasonable belief that:
 - 1) The vehicle or subject poses an immediate threat of death or serious bodily injury to the officer or another person and;
 - 2) The officer has no reasonable alternative course of action to prevent death or serious bodily injury.



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5. An officer shall take reasonable precautions and means to avoid injuring innocent persons when discharging a firearm.

E. K9 Services

1. The Department may utilize trained Police Service Dogs to assist in law enforcement matters. These include but are not limited to; subject searches and subject apprehensions.
2. If the use of a Department Police Service Dog results in a bite:
 - a. The injured person will be afforded medical attention as soon as practical,
 - b. The K-9 team's supervisor shall be notified,
 - c. The K-9 handler shall submit a Use of Force Report, and any other report as directed, and
 - d. A Field Investigator will photograph and document the injuries incurred as a result of the canine's use.

F. Conducted Electrical Weapons (TASER or CEW)

1. An officer shall only deploy a CEW/TASER when it is objectively reasonable to do so and justified by the circumstances.
 - a. CEW/TASER may be deployed when an officer reasonably believes, due to the subject's actions or statements, that the use of hands-on techniques may lead to an escalation of force and accompanying risk of physical injury to the person being arrested, to the officer, or to any other person.
 - b. Additionally, the CEW/TASER may be deployed in situations when other force measures would result in similar or higher degrees of injury to the subject or officer.
2. Uniformed officers shall carry the CEW in an approved holster on the opposite side of the body from the officer's firearm. SWAT and non-uniformed personnel carrying a CEW/TASER, shall have it secured in a pouch or tactical holster away from their primary weapon.
3. An officer shall not draw his or her primary weapon and the CEW/TASER, nor maintain both displayed at the same time.
4. All officers authorized to use CEW's shall be issued a minimum of one spare cartridge. If issued a spare cartridge carrier or the CEW/TASER carries two cartridges ready to deploy, it shall be carried as intended and in conformance with current training standards.
5. In order to reduce the likelihood of secondary injuries or complications due to involuntary loss of motor responses, officers shall consider alternatives to deploying a CEW/TASER when confronting the following:
 - a. Women that are visibly pregnant;
 - b. Subjects with physical disabilities, and;
 - c. Subjects of an old or young age for which the CEW/TASER would seem an unreasonable option.
6. The CEW shall not be utilized under the following circumstances:
 - a. On a handcuffed/secured prisoner unless exigent circumstances exist and its use is reasonable.
 - b. In any environment where an officer knows that a potentially flammable, volatile, or explosive material is present, such as chemical agents with volatile propellant, gasoline, natural gas, or propane.
 - c. On a subject who is on an elevated or unstable surface or an environment where the subject's fall could reasonably result in death or serious bodily injury.
 - d. On a subject that displays solely static resistance.
 - e. On a subject who is driving a motor vehicle unless there is a compelling reason to do so which is objectively reasonable.
7. The CEW/TASER may be used in certain circumstances by direct contact with the body (drive stun) when there is an articulable threat to an officer or another person. This involves pressing the unit against an appropriate area of the body while considering primary and secondary target areas. In deploying a CEW/TASER in this manner it is important to note that the device is:
 - a. Primarily a pain compliance tool.
 - b. Minimally effective when compared to a successful cartridge-type deployment.



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8. Officers shall refer to the current Department training standards regarding primary and secondary target areas.
9. Upon successfully deploying a CEW/TASER an officer shall cycle the device the least number of times necessary to effectively gain compliance or control. The subject should be secured as soon as practical while disabled by CEW power to minimize the number of deployment cycles.
10. The CEW probes shall be removed from the subject after he or she is restrained and it is safe to do so. Removal shall be consistent with Department training.
 - a. If probes are deployed from the CEW, an officer should take photographs before and after the darts are removed.
 - b. Medical evaluations and clearance shall be consistent with Department training.

G. Use of Force Notification Procedure.

1. An officer shall immediately notify a supervisor of the following situations:
 - a. When an officer believes that a use of force may occur due to the type of call, or the behavior of a subject; or,
 - b. When an officer has discharged a firearm; or,
 - c. When the use of lethal force has occurred, whether or not death or injury results; or,
 - d. When LLF weaponry is used; or,
 - e. When the use of LLF has resulted in an injury or a complaint of injury.
2. When a supervisor is notified that a use of force has occurred, that supervisor shall immediately respond to the scene. The supervisor shall assume command and ensure that the scene is secured, that all evidence is collected, and begin an independent investigation of the use of force. Inclusive of the tasks required by the supervisor, he or she shall ensure that photographs are taken of the involved officer(s), the subject(s), the environment, Canine (if applicable), and any LLF weaponry (if applicable).
3. When a use of force occurs that involves the discharge of a firearm or which results in the death or great bodily harm to any person, the appropriate Departmental response shall be guided by the Rio Rancho Police Department Standards and Procedures policy regarding *Serious Use of Force and In Custody Death Incidents*.
4. When an officer uses a firearm to destroy an animal that is a threat to the public welfare or for humane reasons, and there is no injury to any person, the responding supervisor shall make notification to the Chief of Police through the chain of command. When it is determined that Criminal Investigations Section or the Multi-Agency Task Force will not investigate the incident, the responding supervisor shall:
 - a. Ensure that the scene is secured,
 - b. Assign a field investigator to document and collect all evidence,
 - c. Begin an investigation and document the incident in a Supervisor's Review.
 - d. Forward the Supervisor's Review to the Chief of Police through the chain of command.
5. When an officer unintentionally discharges a firearm and no person is injured, a supervisor shall immediately respond to the scene. The supervisor shall make notification to the Chief of Police through the chain of command. When it is determined that Criminal Investigations Section or the Multi-Agency Task Force will not investigate the incident, the responding supervisor shall:
 - a. Ensure that the scene is secured,
 - b. Assign a field investigator to document and collect all evidence,
 - c. Begin an investigation and document the incident in a Supervisor's Review.
 - d. Forward the Supervisor's Review to the Chief of Police through the chain of command.
6. A custody procedure is used to maintain control over a subject. As such, a custody procedure alone should not be considered as a use of force. If a subject is injured during a custody procedure as a result of his or her resistance, then a use of force report shall be completed.

H. Use of Force Reporting Procedure

1. A Use of Force Report shall be completed and submitted by the officer when LLF weaponry is used on a subject which results in an injury or a



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complaint of injury to that person.

2. Completion of the Use of Force Report.
 - a. All involved officers shall document their actions related to the incident on a use of force report.
 - b. The use of force report shall be completed no later than three calendar days following the incident. A lieutenant or above may grant an additional two days to complete the report. Any further requests for extensions must be made by an officer of the rank of Captain or higher.
 - c. The following factors shall be included in the use of force report if they apply:
 - 1) The environment at the time of the incident (weather, lighting conditions, Pedestrian and/ or vehicle traffic);
 - 2) Knowledge that the officer had regarding the incident or subject that influenced the decision to use force;
 - 3) The type of crime being investigated;
 - 4) The location and availability of additional officers;
 - 5) Distance from the threat or the subject involved in the use of force incident;
 - 6) The availability of cover and/or concealment;
 - 7) Attempts made to de-escalate the situation;
 - 8) Decision to close distance or challenge the subject involved in the use of force incident;
 - 9) The level of resistance displayed by the subject involved in the use of force incident;
 - 10) The immediate threat the subject posed to the officer or others;
 - 11) Planning involved in the use of force incident;
 - 12) Communication and coordination involved in the use of force incident;
 - 13) The dynamics of the use of force incident;
 - 14) How the particular level of force was applied in the incident;
 - 15) Any disparity of force;
 - 16) The amount of fear felt by the officer due to his or her perception of the incident;
 - 17) Influential circumstances;
 - 18) Any first aid or follow up care applied.
3. Supervisor Investigation and Review of Use of Force Incidents
 - a. All reported use of force incidents shall be fully investigated and reviewed by the appropriate Department supervisor.
 - b. The independent investigation and review shall be documented on the approved Use of Force Review reporting format.
 - c. The Use of Force Supervisor Review shall be completed no later than fifteen calendar days following the incident and forwarded through the chain of command. An extension of up to an additional seven calendar days may be granted by a lieutenant.
 - d. The documented investigation and review should include the following headings and content:
 - 1) Synopsis:
 - i. A summary of the use of force incident.
 - ii. It should include the name of the officers involved, and the type of force used.
 - 2) Review:



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- i. A list of all reports and other documents used to review the incident.
- ii. A list of all audio or video recordings used to review the incident.
- iii. A list of all Department Standards and Procedure sections used to review the incident.

3) Investigation:

- i. How notification was made to the supervisor.
- ii. If a supervisor was called to the scene prior to the use of force.
- iii. What was observed upon arrival to the use of force scene.
- iv. Any actions taken to secure medical care for officers and others involved.
- v. How evidence was secured and properly preserved.
- vi. Any witness statements.
- vii. Any and all video evidence recovered.
- viii. Any facts pertinent to the investigation that may provide insight.

4) Findings:

- i. The facts of the investigation determined by the review.
- ii. Whether the use of force employed by the officer(s) was objectively reasonable.
- iii. Whether the officer(s) involved in the use of force exercised sound judgment and tactics.
- iv. Whether the officer(s) involved complied with this Standards and Procedures section.

5) Disposition:

- i. A statement of disposition based on the findings.
- ii. Any action taken by the reviewing supervisor as a result of the investigation and review.

6) Recommendations:

- i. Any recommended changes to policy.
- ii. Any recommended changes to training.
- iii. Any additional recommendations related to the use of force incident.

4. Command Review of Use of Force Incidents

- a. All reported use of force incidents shall be fully investigated and reviewed by Department authorities. The use of force review process shall consider the following:
 - i. Whether the use of force in the incident was objectively reasonable; and,
 - ii. Whether the officer(s) involved in the use of force exercised sound judgment and tactics; and,
 - iii. Whether the officer(s) involved in the use of force complied with Department Standards and Procedures.
- b. When a Use of Force Review of an incident is completed by a supervisor, he or she shall forward the investigation to the next level in the chain of command (e.g., a sergeant will forward to the lieutenant). At each level, the Use of Force Review shall be evaluated and approved. The Captain in the chain of command shall provide the final approval unless that officer is involved in the use of force.



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- c. If a supervisor or command level officer determines during the review process that an Internal Affairs Investigation is warranted due to the discovery of a class I violation(s) or other cause, the information shall be forwarded to the Office of Professional Standards for initiation of an Internal Affairs Investigation.
- d. The Chief of Police, or appropriate designee, has the authority to make a final determination regarding a use of force incident.
- I. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

SERIOUS USE OF FORCE AND IN-CUSTODY DEATH INCIDENTS

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GENERAL STANDARD

The Department shall conduct objective and thorough investigations whenever an Officer is involved in any shooting incident, intentional or accidental, an in custody death, or serious use of force incident which results in death or great bodily harm to any person, including any Officer. A multi-agency task force shall conduct the investigation to maintain integrity in the organization, protect the mental and physical well-being of the involved Officer, maintain community confidence in the investigative process, protect against unwarranted civil liability, and guarantee fair treatment of all persons involved.

DEFINITIONS

Criminal Investigation: An investigation to discover all relevant evidence for a determination of whether or not a crime was committed during the course of the incident by any person involved.

Internal Investigation: An administrative investigation to discover all relevant evidence for a determination of whether there was a violation of Department rules, policy, or procedure; whether relevant policy was clearly understandable and effective to cover the incident; and whether prior Department training was adequate.

Use of Force: Any physical effort used in order to effect, influence, or persuade the compliance of an unwilling subject above an unresisted handcuffing procedure.

Lethal Force: A degree of force, which is likely to produce death or serious bodily injury. Lethal Force is not limited to the use of firearms.

Less Lethal Force (LLF): A degree of force which is neither likely nor intended to cause death or serious bodily injury.

Officer Involved Shooting (OIS): An incident involving any officer who, under color of law, uses lethal force by discharging a firearm which results in, or reasonably could have, resulted in physical injury.

Serious Use of Force Incident: An incident involving any officer who, under the color of law, uses lethal or less lethal force which results in serious or great bodily injury to any person including an officer to include an officer involved shooting.

In Custody Death: The death of any person who is in the Department's custody from the restriction of movement until such time as he or she is released from Department custody.

Multi-Agency Task Force: A task force with representatives from multiple agencies created to investigate Officer Involved Shootings, Serious Use of Force Incidents, and In Custody Deaths.

Principal Officer: Any officer who, under color of law, uses lethal force which has, or reasonably could have, resulted in death or great bodily harm or, who under the color of law, has discharged a firearm which has, or reasonably could have, resulted in physical injury.

Involved officer: Any officer present at the scene, other than the principal officer, when the principal officer under color of law, uses lethal force which has, or reasonably could have, resulted in death or great bodily harm or, who under the color of law, has discharged a firearm which has, or reasonably could have, resulted in physical injury.

Post Traumatic Stress Disorder: An anxiety disorder that can result from exposure to short-term severe stress, or the long-term buildup of repetitive and prolonged milder stress.

STANDARDS AND PROCEDURES

A. PRINCIPAL AND INVOLVED OFFICERS

1. Shall not alter or remove clothing or otherwise cleanse themselves so that potential evidence would be destroyed, until authorized by the investigative team leader.
2. May contact family members, a labor representative and legal counsel.
3. May request blood or urine samples for prohibited alcohol or drug consumption at the Department's expense, when such test(s) would not be required by Department procedure.
4. May only leave the designated area when authorized by the investigative team leader.

B. PATROL RESPONSE

1. Patrol Officers shall:
 - a. Provide medical care for injured persons.



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- b. Secure the outer perimeter of the crime scene and search for possible suspects believed to be in the area.
 - c. Locate and identify all witnesses (including department personnel) and separate them to ensure witness credibility.
2. Patrol Supervisors shall:
- a. Respond to the scene of the incident and take command.
 - b. Ensure that responding officers have taken appropriate action.
 - c. Ensure that the Principal and Involved officers remain in the same attire and do not dispose of any items which were in his/her possession at the time of the incident until authorized.
 - d. Be responsible for maintaining security of the scene and all personnel until relieved.
 - e. Speak briefly with the Principal and Involved Officers to obtain information that would impact the safety of the public. All Principal and Involved Officers will be advised that a more detailed interview shall be conducted by the Multi-Agency Task Force at a later time.
 - f. Information that would impact the public includes:
 - i. Information on type of force used;
 - ii. Direction and approximate number of shots fired by officers and suspects;
 - iii. Location of injured persons;
 - iv. Description of at-large suspects and their direction of travel, time elapsed since the suspects were last seen, and any suspect weapons;
 - v. Description and location of any known victims or witnesses;
 - vi. Description and location of any known evidence; and
 - vii. Any other information necessary to ensure officer and public safety and to assist in the apprehension of at-large suspects.
 - g. Initiate notification to the Chief of Police through the chain-of-command.
 - h. Advise all Principal and Involved Officers not to discuss the incident with anyone except a legal counsel, Department attorney, association representative, Multi-Agency Task Force investigator, or other Department investigator until the conclusion of the preliminary investigation.
 - i. Ensure that any injured officers are transported to a medical facility.
 - i. Assign an Officer to accompany the injured Officer, and;
 - ii. Notify the family of the injured Officer as soon as possible.
 - j. Assign a Field Investigator to respond to the scene.
 - i. The Field Investigator will take photographs of the Principal and Involved Officers when directed by the Lead Investigator.
 - ii. The photographs will be turned over to the Lead Investigator as soon as possible.
 - k. Ensure the scene is not altered or evidence is not seized prior to the arrival of the investigation team unless exigent circumstances exist.
 - l. Designate an officer, acting as a peer counselor, to accompany the Principal Officer to a quiet and secure area. The Principal Officer may choose a "Buddy Officer" who is not a principal officer, involved officer or an on scene supervisor.

C. INVESTIGATION

1. Criminal Investigations Section
 - a. A Criminal Investigations Section (CIS) supervisor shall respond to every OIS, Serious Use of Force Incident, and In Custody Death.
 - b. The CIS supervisor shall meet with the Incident Commander, assume section command as it pertains to CIS, and determine the scope of the investigation.



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- c. Once it is determined that an OIS, a Serious Use of Force Incident, or In Custody Death did occur, the CIS supervisor will, after conferring with the Incident Commander, request the response of a Multi-Agency Task Force.

2. Multi-Agency Task Force

- a. Department representatives of the Multi-Agency Task Force shall have a minimum of three years law enforcement experience to include one year of felony crime investigative experience.

- i. The Chief of Police or his designee may establish additional criteria and requirements for assignment to the Multi-Agency Task Force.
- ii. A minimum of one detective and one supervisor shall be assigned as Department representatives on the Multi-Agency Task Force.

- b. When a Multi-Agency Task Force is requested to respond to an incident by the Department, one agency shall be determined to be the Lead Agency.

- i. If a member of the Department is involved in an OIS, Serious Use of Force Incident, or In Custody Death, the Rio Rancho Police Department shall be the Lead Agency.
- ii. If a member of the Department is involved in an OIS, Serious Use of Force Incident, or In Custody Death that also involves a member of another law enforcement agency, Lead Agency designation shall be determined by the initial enforcement action.
- iii. The Chief of Police or his designee may request the New Mexico State Police to assume the role as Lead Agency.

- c. When the Department is the Lead Agency in a Multi-Agency Task Force, the on scene CIS supervisor will assume responsibility for management of the incident.

- i. The on scene CIS supervisor will assign a detective from CIS, or other appropriate unit, as the Lead Investigator.
- ii. It will be the responsibility of the on scene CIS supervisor to determine assignments for the Multi-Agency Task Force.
- iii. The initial Task Force briefing shall be given as soon as possible but not before all Multi-Agency Task Force representatives are present.
- iv. The on scene CIS supervisor will ensure subsequent Task Force briefings are conducted when appropriate or when requested by the Lead Investigator.

- d. The Multi-Agency Task Force is responsible for the following:

- i. Locating, identifying, preserving and collecting items of evidentiary value;
- ii. Conducting recorded interviews with the Principal Officer(s), Involved Officer(s) and witnesses to the incident;
- iii. Ensuring that all recorded interviews and any other evidence collected during canvassing will be documented and provided to the Lead Agency.
- iv. Requesting, obtaining, and executing all search and arrest warrants related to the incident;
- v. Death notifications when approved by the on scene CIS supervisor;

- e. The on scene CIS supervisor shall assign Task Force representatives to collect items of evidentiary value from the Principal and other Involved Officers.

- i. When a weapon is to be collected from an officer, it shall be done so as discreetly as possible.
- ii. Any weapons collected shall be replaced with another weapon when appropriate.

- f. The Multi-Agency Task Force shall inform the Officer(s) of the type and scope of investigations being conducted and provide the names of the investigation team members conducting the investigations. Officer(s) shall also be advised of their Miranda rights.

- g. The information obtained as a result of a criminal investigation may be used for the purpose of the Internal Investigation.

D. ADMINISTRATIVE DUTIES



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1. Post Incident Procedures following an Officer Involved Shooting, Serious Use of Force Incident, or an In Custody Death.
 - a. When appropriate, Principal and Involved Officers may be placed on Administrative Leave with pay for a period to be determined by the Chief of Police consistent with Department Standards and Procedures Section II, Chapter 2, Article 10 *Relief of Duty*. The Officer(s) shall remain available for any necessary Internal or other Administrative Investigations.
 - b. Officers should consider having phone calls answered by another person for several days if their names are released to the public.
 - c. Officers directly involved in the incident shall be required to meet with an agency designated specialist for an evaluation as soon as practical following the incident. This will be at the Department's expense.
 - d. Involved support personnel are also encouraged to contact an agency-designated specialist who has the following qualifications:
 - i. Is a licensed or certified psychologist or psychiatrist; and,
 - ii. Has been trained or has a background in psychological test interpretation and public safety psychological assessment techniques.
 - e. The specialist shall advise the Chief of Police of the results of the evaluation sessions to determine:
 - i. Whether it would be in the best interest of the Officer to continue on Administrative Leave or light duty, and for what length of time.
 - ii. The best-continued course of counseling (if any), and
 - iii. If and when a weapon will be returned to the officer.
 - f. The families of the Officer(s) are encouraged to seek counseling.
 - g. The Chief of Police should periodically brief Department officers concerning the incident to curtail rumors.
 - h. Officer(s) shall not release information about the incident to the news media without authorization from the Chief of Police or his designee.
 - i. When a Department approved firearm has been used in the incident, the Officer shall be required to re-qualify with a replacement weapon upon returning to regular assigned duties.
2. Internal Investigation following an Officer Involved Shooting, Serious Use of Force Incident, or an In Custody Death.
 - a. The Chief of Police or his designee shall appoint two MOS, a primary and secondary investigator, to conduct an Internal Investigation documenting the incident for administrative purposes.
 - i. The Internal Investigation and Criminal Investigation shall be bifurcated. Any MOS involved in the criminal investigation shall not be involved in the Internal Investigation portion of the incident.
 - ii. The Internal Investigation shall comply with Department Standards and Procedures Section II, Chapter 4, Article 2 *Internal Investigations*.
 - b. If a Use of Force occurred during the incident, the Internal Investigation shall address the following:
 - i. Whether the use of force employed by the officer(s) was objectively reasonable;
 - ii. Whether the officer(s) involved in the use of force exercised sound judgment and tactics;
 - iii. Whether the officer(s) involved complied with Department Standards and Procedures Section I, Chapter 1, Article 5 *Use of Force*.
 - c. The Internal Investigation shall determine whether other violations of Department Standards and Procedures, Written Directives, City Work Rules, or training have occurred.
 - d. The information obtained as a result of an Internal Investigation shall not be used for the purpose of the criminal investigation. However, information obtained as a result of the criminal investigation may be used for the purpose of the Internal Investigation.
 - e. The complete Internal Investigation report will be submitted directly to the Chief of Police or his designee.

E. DAILY STRESS RECOGNITION

1. As post-traumatic stress disorders may not arise immediately, or the officers may attempt to hide the condition, each supervisor is responsible



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for monitoring the behavior of Officer(s) for symptoms of the disorder.

2. A report of the supervisor's observations shall be forwarded to the Chief of Police after 30 days.
 3. If the Officer(s) exhibits signs or symptoms of post-traumatic stress disorder after the 30-day observation, a report shall be forwarded to the Chief of Police.
 4. The Chief of Police may order the Officer(s) to seek additional counseling from a specialist dealing in stress disorders upon a reasonable belief that stress may be disrupting the officer's well-being or job performance.
- F. This Standard and Procedure section is to be used in conjunction with Department Standards, orders, values and other relevant policies and procedures.



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GENERAL STANDARD

This policy provides guidance and direction for those who must respond to and resolve situations involving barricaded suspects or subjects.

This Department shall use properly trained, equipped, and supervised field officers to respond and contain a potential barricaded suspect or subject incident.

Should the situation involve overtly dangerous or assaultive behavior directed toward officers or involved citizens, or should it involve suspects wanted on serious felony crimes, the Special Weapons and Tactics Team (SWAT) shall immediately respond and address the problem through primary and secondary resolution options.

In all other cases, after the situation has stabilized, this Department shall closely examine the situation and weigh the benefits of forcing the suspect or subject from the location against the potential costs. This Department shall give special consideration to such things as the commitment of Department personnel and resources and the impact this might have on response capability to other critical incidents in the community, the impact on the community surrounding the police operation, the severity of the crime or situation involved, and the Department safety priorities and the recognition of the risks involved when tactics are used to resolve a barricaded persons incident.

If a decision is made to continue with the resolution effort, minimally intrusive techniques shall be employed until the suspect or subject exits, the Department decides to discontinue the effort and leave the scene, or the Department decides that the minimally intrusive resolution techniques have failed and the need to take the suspect or subject into custody justifies the transition to resolution tactics.

This Department shall generally not use tactics to resolve a barricade situation unless it has lawful justification to arrest the suspect or subject or take him or her into physical custody.

Positive progress in a barricade resolution effort shall be defined as developments that increase the probability that the suspect or subject will be safely taken into custody, as opposed to the mere passage of time.

DEFINITIONS

Barricaded Suspect: A criminal suspect who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded suspect may be known to be armed, thought to be armed, have access to weapons in the location, or be in an unknown weapons status.

Barricaded Subject: A person who is not suspected of committing a crime but is the focus of a legitimate police intervention effort—most often involving threats of suicide or mental illness—who has taken a position in a physical location, most often a structure or vehicle, that does not allow immediate police access—whether fortified or not—and who is refusing police orders to exit. A barricaded subject may be known to be armed, thought to be armed, have access to weapons in the location, or be in an unknown weapons status.

Resolution Techniques: Primary police action geared toward resolving a barricaded suspect or subject situation and involving the use of minimally intrusive techniques such as negotiations, time, electronic surveillance (where legally applicable), and high-energy illumination.

Resolution Tactics: Secondary police action geared toward resolving a barricaded suspect or subject situation and involving the use of intrusive tactics such as window clearing, door ram, chemical agents and related munitions, breach and hold, robot entry and search, off-leash K-9 search, long-leash K-9 search, or entry team search.

Safety Priorities: The basis for the Department's operational and tactical decisions and comprising the following:

- Hostages
- Innocent involved civilians
- Police officers
- Suspects and subjects

Inner Perimeter: A close proximity boundary maintained initially by first responding officers, later transferred to SWAT and designed to contain the situation to the smallest possible area and prevent access to the target location by persons from the outside.

Outer Perimeter: A boundary outside the inner perimeter maintained by patrol officers and designed to prevent unauthorized persons from entering the area of the critical incident.



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Staging Area: Locations set up at an incident where resources can be placed while awaiting a tactical assignment on an available basis.

Chemical Munitions: A term used to describe a class of munitions used in barricade situations to compel the involved suspect or subject to exit the target location and most commonly consisting of CS (orthochlorobenzalmalononitrile) and OC (oleoresin capsicum).

STANDARDS AND PROCEDURES**A. Initial Response**

1. Upon receipt and evaluation of the initial call, dispatch shall send patrol officers and, if appropriate, notify the tactical and negotiations teams.
2. The first responding officer shall assume the role of incident commander (IC) and be responsible for:
 - a. Conducting an initial situation and response analysis,
 - b. Determining what resources will likely be required based on the available information, and
 - c. Providing this information to communications.
3. The officer shall also be aware that police presence can be a catalyst for suspect or subject response and that they must be prepared to take appropriate action should the situation demand it, regardless of the status of additional personnel responding.
4. The officer shall direct arriving resources to specific positions or the staging area that he or she designates.
5. The officer shall continue functioning as the IC until relieved by a superior officer or an officer with specialized training or expertise in fulfilling this role.
6. Communications shall be continuously updated on officer positions and status and informed if the incident command responsibilities are transferred to another officer.
7. The IC shall confirm that the staging area maximizes the safety of the responding units and ensure that one officer is assigned at all times to brief arriving personnel.
8. The IC shall advise Communications of the route to be taken by other emergency response vehicles to avoid exposure to the barricaded person.
9. The IC shall consider the previously listed safety priorities and establish an inner perimeter to contain the problem. During this process, all non-police personnel shall be taken from the inner perimeter to an appropriate location for intelligence debriefing.
10. The IC shall assess the suspect's or subject's options and contingency plan in motion to counter such options, based on the totality of the circumstances presented.
11. Conversation to persuade the barricaded person(s) to surrender peacefully should be conducted by MOS on scene and turned over to trained and qualified negotiators when feasible.
12. MOS should avoid placing themselves in a position of danger.
13. No aggressive action shall be taken by MOS until approved by a supervisor on the scene, unless there is an immediate danger to the MOS or others.
14. Determine the areas that pose the greatest risk to MOS from the suspect or his weaponry.

B. Stabilization

1. Upon stabilization, the IC shall conduct a secondary assessment and consider what has occurred and the legal standing of the Department to intercede. It is especially important to determine the following:
 - a. Whether a crime has been committed,



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- b. Whether the person inside is a suspect in the crime,
- c. Whether there is probable cause for his arrest, and
- d. Whether the need to apprehend the suspect at that moment outweighs the challenges associated with compelling the suspect or subject to submit to police authority.

2. In the absence of a crime or under circumstances where the IC cannot articulate the legitimate risk of death or serious injury, the Department's best course of action may be to stand down.

C. Resolving the Situation

1. Upon determining that the Department shall attempt to resolve the barricade situation, the IC shall ensure that the appropriate specialized resources have been requested (e.g. The SWAT team, hostage negotiations and psychological services, the fire department, e) and ask that communications keep them apprised of the specialized unit response status.

2. The IC shall ensure that a variety of tasks are addressed while awaiting the arrival of SWAT and negotiations, including but not limited to the following:

- a. Establish an outer perimeter and initiate the evacuation and handling process for those inside. Special consideration must be given to the handling of those who refuse to be evacuated.
- b. MOS shall not force people to evacuate private property, but should explain the potential dangers of not evacuating.
- c. MOS should use extreme care to select safe routes in and out of the area.
- d. Persons who have evacuated and desire to return, or those returning to their home or business, may be denied access.
- e. MOS shall log the date, time, location, and names if possible, of persons contacted.
- f. Establish a command post location outside the suspect's potential line of fire and sight, and ensure that responding officers are directed to this location for assignment before they move to the staging area.
- g. Initiate an investigation to determine exactly what has occurred and locate, isolate, and debrief any witnesses. This should include obtaining information about the suspect where relevant and available, including the following:
 - 1) Name
 - 2) Physical description
 - 3) Clothing description
 - 4) Military background
 - 5) Criminal history
 - 6) Weapons
 - 7) Mental state and condition, and names of treating clinicians
 - 8) Circumstances leading up to the immediate problem

3. Select a location for media response and designate a person to interact with them prior to the arrival of the Department public information officer.
4. Select a location for those responding on behalf of the barricaded suspect or subject and designate an officer to interact with them. Make outer-perimeter personnel aware of the presence of those responders and consider that they may attempt to enter the barricade location.
5. Make contact with the person most knowledgeable concerning the floor plan of the barricade location, including specifics related to keys, doors, locks, fortification, windows, alarms, weapons, and any other information that might help the resolution efforts.



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6. Establish and maintain a log that documents the activities that have occurred and the location and identification of the assigned personnel.
 7. Brief the SWAT and negotiations teams upon their arrival.
 8. Assist the SWAT team as it relieves the officers responsible for inner perimeter containment personnel.
 9. Ensure that all officers relieved report to the command post for reassignment.
- D. Negotiations and Tactical Response
1. Upon release of the scene to SWAT and negotiations, resolution efforts in most situations generally involve the following:
 - a. Initiate the resolution techniques effort, which is focused on creating the environment for a successful negotiated resolution.
 - b. Continue the negotiations and related efforts as long they show positive progress.
 - c. Evaluate the situation and determine whether it is reasonable, logical, and appropriate to move to resolution tactics.
 2. Ensure that appropriate judicial authority (i.e. a search warrant for the target location, an arrest warrant or commitment order for the subject known to be inside) has been issued before the Department uses tactics to enter. Entry based on exigency will be authorized only in cases involving immediate and imminent life-and-death circumstances, absent prior approval by the Chief of Police or their designee.
 3. Use a combination of techniques and tactics, in a manner consistent with Department-approved training, until the situation is brought to a successful conclusion.
- E. Criminal Investigations
1. Investigators shall report to the Incident Commander or command post for specific assignment.
 2. Investigators shall be responsible for:
 - a. Correlating all information concerning the incident,
 - b. Collecting all relevant evidence, and
 - c. Interviewing witnesses, victims, and suspects.
- F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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ACTIVE SHOOTER RESPONSE

Section: 6
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GENERAL STANDARD

It is the standard of the Department that MOS responding to an active shooter incident, a barricaded subject incident or a hostage incident shall recognize the danger present with these types of incidents and consider the lives and safety of all persons involved.

DEFINITIONS

Active Shooter: One or more subjects who participate in a random or systematic shooting spree demonstrating their intent to continuously inflict death or injury on another person(s).

Immediate Action Deployment: The swift and immediate deployment of law enforcement personnel and resources to an on-going life threatening situation. Delayed deployment of personnel could otherwise result in death and /or injury to innocent persons. Immediate Action Deployment tactics are not a substitute for conventional response tactics to a barricaded gunman or hostage incidents.

Contact Team: A team of MOS responsible for making contact with active shooter(s) and control of the incident by arrest, containment, or use of deadly force.

Rescue Team: A team of MOS responsible for locating and assisting victims and safely removing them from immediate danger.

CHARACTERISTICS OF AN ACTIVE SHOOTER

The following is a list of characteristics commonly associated with active shooter suspects. The list is compiled from descriptions of past active shooters and not meant to be a comprehensive list describing all active shooters. Each active shooter situation is unique.

- A. Active shooters usually focus on assaulting persons with whom they come in contact. Their intention is usually an expression of hatred or rage rather than the commission of a crime.
- B. An active shooter is likely to engage more than one target. Active shooters may be intent on killing a number of people as quickly as possible.
- C. Generally, the first indication of the presence of an active shooter is when he or she begins to assault victims.
- D. Active shooters often go to locations where potential victims are close at hand, such as schools, theaters, concerts, or shopping malls. Active shooters may act in the manner of a sniper, assaulting victims from a distance. Active shooters may also engage multiple targets while remaining constantly mobile.
- E. Tactics such as containment and negotiation normally associated with standoff incidents may not be adequate in active shooter incidents. Active shooters typically continue their attack despite the arrival of emergency responders.
- F. Active shooters are often better armed than the police, sometimes making use of explosives, booby traps and body armor. Active shooters are not limited to the use of firearms in accomplishing their attacks on victims. They may use bladed weapons, vehicles, or any tool that, in the circumstance in which it is used, constitutes deadly physical force.
- G. Active shooters may have a planned attack and be prepared for a sustained confrontation with the police. Historically, active shooters have not attempted to hide their identity, or conceal the commission of their attacks. Escape from police is usually not a priority of the active shooter.
- H. Active shooters may employ some type of diversion.
- I. Active shooters may be indiscriminate in their violence or they may seek specific victims.
- J. Active shooters may be suicidal, deciding to die in the course of their actions either at the hand of others or by self-inflicted wound.
- K. Active shooters usually have some degree of familiarity with the building or location they choose to occupy.
- L. Active shooter events are dynamic and may go in and out of "active" status; a static incident may turn into an active shooter event or an active shooter may go "inactive" by going to a barricaded status without access to victims.

STANDARDS AND PROCEDURES

- A. Active Shooter Response
 1. All on-duty MOS, who are not on an emergency call, shall immediately respond to the scene.
 2. Off-duty and plain clothes personnel, who are called to respond to an active shooter, shall ensure that they don clothing with "POLICE" markings.



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3. The first arriving officer(s) at the scene shall:
 - a. Determine if the incident is still active or if it has become dormant. If dormant, treat incident as a possible barricaded/hostage incident.
 - b. Locate and maintain a place of cover and concealment.
 - c. Assess the situation and gather critical intelligence including the following:
 - 1) Suspect count and description,
 - 2) Suspect weaponry and last known location, and
 - 3) Victim count and location.
 - d. Assume an "in-charge" role and broadcast your initial assessment to responding MOS.
 - e. Coordinate initial response to a safe location and form a contact team.
4. The Contact Team should gather necessary equipment to include the following:
 - a. Long gun,
 - b. Additional ammunition,
 - c. Communications, and
 - d. Any other personal protective equipment (e.g. body armor).
5. The Contact Team shall immediately enter the location and begin seeking the active shooter. The Contact Team's responsibility is to locate the active shooter and stop any violence. Officers must be aware that there will be visible victims with injuries and possibly death. They must remain clear of their objective to stop any further violence. Notification shall be made over radio broadcast of the team's intention and manpower.
6. The arriving First Line Supervisor shall assume the Incident Commander (IC) role and begin to coordinate the following:
 - a. Identify a "Kill Zone" and establish a command post,
 - b. Secure radio communications,
 - c. Staff and maintain inner and outer perimeter positions, and
 - d. Request additional resources and set a staging area.
7. The IC shall need to call upon several types of resources for differing functions. Examples of these resources may include the following:
 - a. The Department's SWAT, SRT, and CNT,
 - b. Area police and fire departments, and
 - c. Ambulance providers.
8. As significant resources arrive, the IC shall identify the need for additional contact and/or rescue teams.
9. Additional Contact Teams may be utilized but must be strictly governed so as to avoid contact between multiple teams. More than one contact teams may be used in some of the following circumstances:
 - a. Multiple buildings,
 - b. Large-scale complexes, or
 - c. Separate shooter locations.
10. Rescue teams shall be comprised based on manpower availability and current activity of the shooter. It is the responsibility of rescue teams to:
 - a. Locate injured victims and remove to a safe location for treatment.
 - b. Provide safe escape routes for individual and/or groups of people.



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- c. More than one rescue team may be used.
- 11. Contact and rescue teams should use extreme caution while moving in a targeted area. Active shooters have been known to use explosives to further cause destruction during and after the event. There has been cases where barricades have been erected and booby traps have been attempted to injure first responders.
- 12. Evacuation Corridors may be used to assist in the safe evacuation of large groups of people during and after an active shooter event. These corridors are used to safely separate victims from suspects who may attempt to evade detection. Corridors may be setup in a linear fashion consisting of:
 - a. Separator Area- Used to initially identify victims and suspects.
 - b. Suspect Holding Area- An area used to hold suspects.
 - c. Medical Area- This area is used to treat injured persons. MOS should be cautious in this area as it may contain suspects.
 - d. Dirty Area- A large holding area for anyone who has not been searched and cleared.
 - e. Clean Area- A final holding area where persons can be released.
- B. Active Shooter Training
 - 1. Current training in active shooter response shall be the responsibility of the Department's SWAT team. It should be a matter of practice that this training be conducted annually.
 - 2. In addition to inter-departmental training, officers should seek opportunities to train and learn in conjunction with area schools, high-risk business locations, and shopping areas.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures



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STANDARDS AND PROCEDURES

CRITICAL INCIDENT TEAM

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GENERAL STANDARD

To establish guidelines for qualifications and operations of the Special Weapons and Tactics Team (SWAT Team), Special Response Team (SRT), and the Crisis Negotiations Team (CNT). These teams shall be a ready response unit having the knowledge and training to resolve situations that are beyond the capabilities of normally equipped and trained MOS.

STANDARDS AND PROCEDURES

- A. The SWAT Team shall consist of specialized personnel considered active team members, and include the following:
 1. One tactical commander assigned by the Chief of Police, with the rank of lieutenant or above.
 2. One tactical operations supervisor assigned by the Chief of Police, with the rank of sergeant or above.
 3. One team leader assigned by the Chief of Police, with the rank of sergeant or above.
 4. Eleven active team members who shall be full time commissioned police officers.
 5. Four Observer/Marksman Team members.
 6. Four Tactical Medics/Officers.
 7. All members shall be assigned by the team leader upon the Chief of Police's approval.
- B. The SRT shall consist of eight full time commissioned police officers including one team leader.
- C. The CNT shall consist of six full time commissioned police officers including one team leader and one technical officer.
- D. SWAT and SRT active team members shall meet and maintain the specific qualifications listed below:
 1. Mentality
 - a. The team member shall exhibit sufficient intelligence to learn and apply proper SWAT Team functions and responsibilities.
 - b. The team member shall constantly strive to improve his knowledge in the realm of special tactics.
 - c. The team member shall be innovative in performing assigned duties.
 2. Physical Condition
 - a. The team member shall be in good physical condition.
 - b. The team member shall be free of physical or medical restriction(s) that would hinder safe and effective performance of assigned duties.
 3. Above average proficiency with all assigned weapons.
 4. Emotional Make-up and Personality
 - a. The team member shall be mature and stable, possess sound judgment, and have adequate reasoning abilities.
 - b. The team member shall have a personality, which is conducive towards team participation.
 5. Self-Discipline
 - a. The team member shall be self-disciplined, without questioning the team leader's authority.
 - b. The team member shall be capable of effective performance without direct supervision.
 6. Status
 - a. The team member shall have completed their new-hire probationary period. However, the probationary period may be waived by the Director if circumstances dictate otherwise.
 - b. The team member shall be in good standing as determined by the Director.



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CRITICAL INCIDENT TEAM

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- E. The chain of command and related responsibilities during a critical incident deployment shall be in order as follows:
1. The Chief of Police has ultimate control over the Critical Incident Team.
 2. The operations deputy director and captain assigned to operations shall be in the Critical Incident Team chain of command for administrative support. The Chief of Police may assign a command staff officer to act as his/her designee during a deployment of the Critical Incident Team.
 3. The tactical commander supervises all aspects and elements of the Critical Incident Team and its operations.
 4. The tactical operations supervisor oversees the tactical operations center and serves as an advisor to the tactical commander. The tactical operations supervisor assumes tactical command in the absence of the tactical commander.
 5. The SWAT team leader controls and directs the entry and inner-perimeter teams, and reports to the tactical commander.
 6. The SWAT assistant team leader assists the team leader and assumes control of the entry and inner-perimeter teams in the absence of the team leader.
 7. The marksman/observer team leader controls and directs marksman/observer teams and reports to the tactical commander.
 8. The Crisis Negotiations Team (CNT) leader controls and directs CNT personnel, and reports to the tactical commander.
 9. The SRT team leader controls and directs SRT personnel unless they serve in an inner perimeter role at a critical incident, where the SRT team leader works in support of the SWAT team leader.

F. Training

1. To maintain adequate proficiency through regular training, SWAT Team training sessions for active team members should consist of:
 - a. Twenty hours per month and one forty hour advanced block of instruction per year, unless authorization is granted and approved by the Chief of Police for additional training time.
 - b. Knowledge or skills in SWAT functions, such as marksmanship, tactics, and procedures.
2. To maintain adequate proficiency through regular training, SRT team training sessions for active team members should consist of ten hours per month and any advanced training session as authorized.
3. To maintain adequate proficiency through regular training, the CNT team shall train as needed and any advanced training session as authorized.
4. All training shall be documented and forwarded to the training division.

G. Discipline and Separation of Team Members

1. Voluntary resignation shall be submitted in writing to the team leader.
2. Team members may be suspended or removed for procedural non-compliance and for imposed disciplinary actions taken against a MOS pursuant to an administrative process.
3. Each violation shall be evaluated on a case-by-case basis.
4. Upon procedural non-compliance, team members may be separated from the Critical Incident Team.

H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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USE OF THE SPECIAL WEAPONS AND TACTICS TEAM

Section: 6
Chapter: 1
Article: 7

GENERAL STANDARD

To establish guidelines for the notification, call-out and activation of the Special Weapons and Tactics (SWAT) Team. The SWAT Team may be utilized in response to hazardous situations beyond the capabilities of normally trained and equipped patrol personnel.

STANDARDS AND PROCEDURES

A. The SWAT Team should be utilized in the following incidents:

1. Hostage situations.
2. MOS or victim down in a lethal zone.
3. Barricaded suspect(s).
 - a. The suspect is believed to be armed and has been involved in a criminal act, or is a significant threat to the safety of other persons,
 - b. The suspect is in a position of advantage (affording cover and concealment), or is contained in an open area and the presence or approach of police may cause an adverse reaction by the suspect, and
 - c. The suspect refuses to surrender to police custody.
4. High-risk warrant service.
 - a. Misdemeanor or felony arrest and search warrants that pose a likelihood of danger to MOS or other persons.
 - b. Clandestine laboratories or drug related crimes.
5. Any criminal activity involving life-threatening circumstances which are beyond the capabilities of normally equipped and trained MOS.

B. SWAT Team Notification

1. The SWAT Team may be placed on stand-by or requested to respond by a shift supervisor or his designee.
2. When requested the notification order shall include:
 - a. Whether it is a stand-by or call-out notice.
 - b. The type of incident.
 - c. Location to respond, including safe approach route.
 - d. Time of notification.
 - e. Any special instructions specified by the authorizing supervisor.
 - f. The type of response such as, emergency or non-emergency.

C. SWAT Team Response

1. All SWAT Team members who have received notification shall:
 - a. Appropriately respond to the designated area with appropriate gear and equipment.
 - b. Upon arrival, begin reconnaissance, perimeter control or tactical planning when appropriate or as otherwise directed.
2. The team leader shall establish an operational plan, with contingency plans for the resolution of the assigned mission.
 - a. The operational plan shall be based on:
 - 1) The capabilities of the SWAT Team.
 - 2) Reasonably limiting hazardous exposure to the team, other persons, or property.
 - 3) Resolution of the situation with a reasonable use of force.
 - b. The Chief of Police or his designee and tactical commander shall be informed of the operational and contingency plans.



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D. SWAT Team Activation

1. Activation of the SWAT Team consists of authorized entry into the inner-perimeter for resolution of the incident.
2. The SWAT Team shall only be activated when authorized by the Chief of Police or his designee.
3. When the SWAT Team is activated, the inner-perimeter shall be under the command and control of the tactical commander.
4. Team members may take appropriate action consistent with the Department Use of Force Policy when required, before or during activation.

E. SWAT Team Tactical Operations

1. The tactical commander shall be responsible for the overall operation and shall coordinate activities of:
 - a. The Tactical Operations Center.
 - b. Entry team members.
 - c. Inner-perimeter team members.
 - d. Marksman/observer team members.
 - e. Tactical emergency medical support personnel.
 - f. Crisis negotiation team members.
 - g. Other required resources within the inner-perimeter.
2. The tactical commander shall compile and disseminate all pertinent information to the chain of command.
3. The team leader shall be responsible for overseeing and directing all activities within the inner perimeter to accomplish the mission objectives.

F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**EMERGENCY RESPONSE TEAM**

Section: 6
Chapter: 1
Article: 8

GENERAL STANDARD

To establish guidelines for the notification, call-out, activation, and use of the Emergency Response Team (ERT).

PURPOSE

This Department shall strive to effectively manage crowds during demonstrations or civil disturbances to prevent loss of life, injury, or property damage and minimize disruption to persons who are uninvolved. The Emergency Response Team's mission is to provide a team approach response to civil disorder, crowd control, major criminal events, natural and man-made disasters, and scene security and perimeter containment.

Officers encountering such incidents shall adhere to this policy to protect life, property, and the exercise of First Amendment and other constitutionally protected rights.

DEFINITIONS

Area Searches: Operations to locate lost persons or searches of large areas for evidence.

Civil Disturbance: A gathering that constitutes a breach of the peace or any assembly of persons where there is a threat of collective violence, destruction of property, or other unlawful acts. Such a gathering may also be referred to as a riot or unlawful assembly.

Demonstration: A lawful assembly of persons organized primarily to engage in First Amendment protected activity. These may be scheduled events that allow for law enforcement planning. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention. Lawful demonstrations can devolve into civil disturbances that necessitate enforcement action.

Crowd Control: Techniques used to address civil disturbances, to include a show of force, crowd containment, dispersal equipment and tactics, and preparations for multiple arrests.

Crowd Management: Techniques used to manage lawful assemblies before, during, and after the event for the purpose of maintaining their lawful status through event planning, pre-event contact with group leaders, issuance of permits when applicable, information gathering, personnel training, and other means.

Disaster: Both manmade and natural disasters to include, but not limited to, aircraft accidents, hazardous material events, severe storms, and/or mass casualty incidents.

Impact Projectiles: Projectiles designed and intended to deliver non-penetrating impact energy from a safe range, established in accordance with training and manufacturer guidelines. These may include direct fire or non-direct skip-fired rounds. The latter are projectiles that are discharged toward the ground in front of a target, theoretically delivering the energy to the subject following contact with the ground.

Major Criminal Events: May include, but are not limited to, large-scale criminal events, fugitive or suspect hunts, mass arrests, barricaded subjects, etc.

STANDARDS AND PROCEDURES

A. The ERT shall be organized as follows:

1. Team Commander, assigned by the Chief of Police holding the rank of Lieutenant or higher.
2. Team Leader(s), assigned by the Chief of Police holding the rank of sergeant. There shall be a primary and alternate team leader.
3. Team members. The team shall consist of 12 primary officers and six alternate officers.

B. Activation: The ERT may only be activated with the permission of a Captain or higher. The Chief of Police shall be notified on all activations. The Chief of Police or his designee may authorize ERT to respond to incidents in support of other jurisdictions at their request. ERT will comply with this policy as well as the Rio Rancho Police Department's Use of Force policies.

C. Roles: The ERT may be used in the following roles (other roles may be approved by the activating official):

1. Crowd management and control during demonstrations and/or civil unrest.
2. Area searches for lost persons or evidence.
3. Evacuation operations, scene security, recovery operations, and law enforcement functions during disasters or major criminal events.
4. Perimeter containment for major criminal events.



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- a. Should ERT be activated to support a SWAT call-out, the ERT shall be under the operational control of the designated Incident Commander as defined in the SWAT policy.
 - 5. As needed to assist Federal, State, or local agencies during political, celebrity, or other special events.
 - 6. Site protection for high profile court cases, sporting events, concerts, or other large events.
 - 7. Any other incidents or assignments as directed by the Chief of Police.
- D. Personnel. All assigned personnel shall receive initial and recurring training on crowd control, perimeter containment, or other assigned tasks as needed. Training shall be conducted as specialty training monthly.
- 1. The Team Commander shall:
 - a. Supervise the use of the ERT for disasters, scene security, and major criminal events.
 - b. Coordinate training for the ERT.
 - c. Ensure the ERT is properly equipped.
 - d. Ensure Tactical Plans and After Action Reports are completed for each incident.
 - e. Inspect and inventory all ERT equipment.
 - f. The Team Commander shall be contacted for utilization and deployment of the ERT. The activation of the ERT must be approved by a captain or above.
 - g. In the absence of the Team Commander, the ERT shall operate under the supervision of one of the Team Leaders.
 - 2. Team Leader(s) shall:
 - a. Supervise the squad(s) during deployment.
 - b. Supervise the deployment of chemical and less lethal munitions during civil unrest.
 - c. Assist with the development and training of the unit.
 - d. Assist with Tactical Plans and After Action Reports.
 - e. Conduct inspections and inventories of equipment.
 - f. Assume the duties of the Team Commander in his/her absence.
 - 3. ERT team members are responsible for:
 - a. Maintaining all issued equipment.
 - b. Notifying supervisors of equipment deficiencies or shortfalls.
 - c. Notifying supervisors if they are unable to fulfill the duties of the position.
- E. Crowd Management, Control and Civil Disturbances. The purpose of this section is to establish guidelines for managing crowds and preserving the peace during demonstrations and civil disturbances.
- 1. General Management and Organization Principles
 - a. City, County, and State government may impose reasonable restrictions on the time, place, and manner in which persons engage in First Amendment activity. The department shall place only those limitations and restrictions on demonstrations necessary to maintain public safety and order and, to the degree possible, facilitate uninhibited commerce and freedom of movement.
 - b. Organization of responsibilities shall be as follows:



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- 1) The Chief of Police (or his designee) shall designate an Incident Commander (IC) responsible for overall control of a demonstration or civil disturbance. In accordance with the National Incident Management System (NIMS), the IC shall implement an incident action plan.
- 2) In the case of a widely dispersed demonstration or disturbance, or event with multiple locations, multiple ICs may be assigned at the discretion of the Chief of Police.
- 3) The IC shall be responsible for preparing tactical plans and management details associated with planned demonstrations.
- c. The Incident Command System (ICS) and NIMS protocols shall be used in crowd management and civil disturbances to ensure control and unified command.
- d. The primary objectives of the IC at a civil disturbance shall be as follows:
 - 1) Protect persons, regardless of their participation in the disturbance; and protect property.
 - 2) Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence.
 - 3) Arrest law violators and remove or isolate persons inciting violent behavior.
- e. Team members shall be briefed on what to expect and appropriate responses. They shall be informed that the IC or his/her designee(s) shall be responsible for ordering any response deemed appropriate.
- f. It is the policy of this Department to avoid making mass arrests unless necessary.
- g. All event proceedings shall be photographed and audio/video recorded complying with Department policies.

F. Use of Force

1. Unless exigent circumstances justify immediate action, officers operating in a crowd control capacity shall not independently make arrests or employ force without command authorization.
2. All officers providing assistance to this agency through mutual aid agreements, contracts, or related means shall be informed that they are under the direction and control of the unified command and supervisory personnel.
3. The following restrictions and limitations on the use of force shall be observed during demonstrations and civil disturbances. In all cases, weapons should be carried and deployed only by trained and authorized officers.
4. Canine teams may respond as backup when appropriate but shall not be deployed for crowd control (i.e., containment or dispersal). Canines shall remain in patrol vehicles or other secure locations and, whenever reasonably possible, out of the view of the crowd. Canines may be deployed in appropriate circumstances related to bomb detection, pursuit of suspects in buildings, and related situations.
5. Horses may be used to surround and control groups in nonviolent demonstrations as appropriate. They shall not be used against passively resistant demonstrators who are sitting or lying down. Horses shall not be utilized when the use of chemical agents is anticipated or deployed, nor shall they be used in icy or snowy conditions or when similar lack of footing may jeopardize the animal, rider, or others.
6. Motor vehicles may be used to surround and move persons as appropriate but shall not be brought into contact with them.
7. Impact projectiles shall not be fired indiscriminately into crowds.
 - a. Non-direct (skip-fired) projectiles and munitions may be used in civil disturbances where life is in immediate jeopardy, or the need to use the devices outweighs the potential risks involved.
 - b. Direct-fired impact munitions, to include beanbag and related projectiles, have a proven track record of safe and effective use in public order management, when deployed in a manner that recognizes the unique factors involved, including the potential risk of hitting an unintended target due to officer-subject range and crowd density. Accordingly, direct-fire munitions can generally be used during civil disturbances against specific individuals who are engaged in conduct that poses an immediate threat of death or serious injury or significant levels of property damage.
 - c. A verbal warning should be given prior to the use of impact projectiles when reasonable.
 - d. Conducted electrical weapon (CEWs) shall be used during civil disturbances only for purposes of restraint or arrest and in compliance



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with Department Use of Force policy.

- e. Aerosol restraint spray, oleoresin capsicum (OC), may be used against specific individuals engaged in unlawful conduct or actively resisting arrest, or as necessary in a defensive capacity when appropriate. OC spray shall not be used indiscriminately against groups of people where bystanders would be unreasonably affected, or against passively resistant individuals.
 - 1) High-volume OC delivery systems are designed for and may be used in civil disturbances against groups of people engaged in unlawful acts or endangering public safety and security when approved by the IC. Whenever reasonably possible, a warning shall be issued prior to the use of these systems.
 - f. CS (2-chlorobenzalmalononitrile) chemical agents are primarily offensive weapons that shall be used with the utmost caution. CS may be deployed defensively to prevent injury when lesser force options are either not available or would likely be ineffective. Such munitions shall be deployed at the direction of the IC and only when avenues of escape are available to the crowd. When reasonably possible, their use shall be announced to the crowd in advance. CN (phenacyl chloride) may not be used in any instance.
 - g. A baton may be used primarily as a defensive weapon in accordance with crowd control training, as a means of overcoming resistance, as a show of force, or as a means to contain or disperse a crowd.
 - 1) The baton may be used to block attacks, strike offenders as a defensive act, or for joint holds. The Department's policy on Use of Force will be adhered to.
8. Use-of-Force Reporting and Investigating
- a. When ERT is activated and any level of force is used, a Use of Force report shall be completed by all team members present during the incident, regardless of their role.
 - b. The Use of Force report shall be reviewed by the Team Commander in accordance with the Use of Force policy, and shall be forwarded through the chain of command to the Chief of Police.

G. Demonstrations – Preparation, Planning and Response

1. The IC or a designee shall prepare an Incident Action Plan and obtain approval from the Chief of Police or his/her designee.
2. Every effort shall be made to make advance contact with the leaders of a demonstration and to gather information about the event to ensure accurate assignment of personnel and resources. Necessary information includes:
 - a. Type of event is involved.
 - b. When the demonstration is planned.
 - c. Whether the event coincides with other routine, large scale events (e.g. sporting events).
 - d. If opposition to the event expected.
 - e. Expected number of participants.
 - f. Assembly areas and movement routes.
 - g. Any actions, activities, or tactics anticipated, to include use of demonstrator devices designed to thwart arrest (e.g., dragon sleeves and u-locks).
 - h. Identifying any critical infrastructures in the proximity of the event.
 - i. Identifying if permits have been issued.
 - j. Notification to other agencies such as Fire and EMS.
 - k. Mutual aid requests.
 - l. Requirements, if any, for off-duty personnel.
 - m. Past history of conduct at such events and whether group leaders were cooperative.
3. The Incident Action Plan shall address provisions for the following and be distributed to all affected command and supervisory officers:
 - a. Command assignments and responsibilities.



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- b. Personnel, unit structure, and deployment.
 - c. Liaison with demonstration leaders.
 - d. Liaison with outside agencies.
 - e. Release of information to the news media.
 - f. Transportation, support, and relief of personnel.
 - g. Staging points for additional resources and equipment.
 - h. Traffic management.
 - i. Demonstrator devices, extrication teams, and equipment.
 - j. First aid stations established in coordination with emergency medical service providers.
 - k. Transportation of prisoners.
 - l. Prisoner detention areas.
4. Officers shall be deployed to monitor crowd activity. Sufficient resources to handle multiple unruly persons shall be available, depending on the fluidity of the situation and degree of actual or likely disruption.
 5. Officers shall wear their badges and nameplates or other identification in a visible location on their person at all times.
 6. Officers shall be positioned in such a manner as to minimize contact with the assembly.
 7. Officers shall not allow themselves to be engaged in conversations or be prompted to act in response to comments from demonstrators. Officers shall maintain a courteous and neutral demeanor.
 8. Persons who reside, are employed, or have emergency business within the area marked off by a police line shall not be prevented from entering the area unless circumstances suggest that their safety would be jeopardized or their entry would interfere with law enforcement operations.
 9. Designated officers shall establish and maintain communication with demonstration leaders and relay information on crowd mood and intent to the IC.
 10. Supervisors and Team Leaders shall maintain close contact with their assigned officers to ensure compliance with orders, monitor behavior and disposition, and ensure that they are aware of any changes in crowd behavior or intent.

H. Response to Spontaneous Civil Disturbances

- a. The first MOS to arrive on the scene of a spontaneous civil disturbance shall:
 - 1) Observe the situation from a safe distance to determine if the gathering is currently or potentially violent.
 - 2) Notify communications of the following:
 - i. Nature and seriousness of the disturbance.
 - ii. The availability of improvised or deadly weapons.
 - iii. The location and estimated number of participants.
 - iv. Current activities (e.g. blocking traffic).
 - v. Direction of movement
 - vi. Ingress and egress routes for emergency vehicles.
 - 3) Request the assistance of a supervisor and necessary backup.
 - 4) If approaching the crowd would not present unnecessary risk, instruct the gathering to disperse.



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- 5) Attempt to identify crowd leaders and agitators engaged in criminal acts.
- b. The first officer or supervisor in charge at the scene shall:
 - 1) Deploy officers at vantage points to report on crowd actions.
 - 2) Establish a perimeter sufficient to contain the disturbance and prohibit entrance into the affected area.
 - 3) Ensure that, to the degree possible, uninvolved civilians are evacuated from the immediate area of the disturbance.
 - 4) Establish a Command Post (CP).
 - 5) Provide ongoing assessment to communications.
- c. In the area outside the perimeter, the IC shall ensure that the following actions are taken:
 - 1) Move and reroute pedestrian and vehicular traffic around the disorder.
 - 2) Control unauthorized ingress and egress by participants.
 - 3) Prevent attempts to assist or reinforce the incident participants from outside the area.
- d. The IC shall also ensure that:
 - 1) Adequate security is provided to Fire and EMS personnel in the performance of emergency tasks.
 - 2) Support and relief of personnel are available.
 - 3) A secure staging area for emergency responders and equipment is designated.
 - 4) Liaison and staging points for media representatives are established and available information is provided as appropriate.
 - 5) The IC event log is staffed for documenting activities and actions taken during the course of the incident.
 - 6) Photographs are taken and video recordings of event proceedings are made.
 - 7) Photographs are taken of any injuries sustained by law enforcement officers or the public.
 - 8) The need for full mobilization of sworn officers and the recall of off-duty officers is determined.
- e. Crowd Dispersal
 - 1) Before ordering forced dispersal of a civil disturbance, the IC shall determine whether lesser alternatives may be effective. These alternatives include the use of containment and dialogue, as follows:
 - i. Establish contact with crowd leaders to assess their intentions and motivations and develop a mutually acceptable plan for de-escalation and dispersal.
 - ii. Communicate to the participants that their assembly is in violation of the law and that the Department seeks to resolve the incident peacefully, but that acts of violence shall be dealt with swiftly and decisively.
 - iii. Negotiate with crowd leaders for voluntary dispersal, or target specific violent or disruptive individuals for arrest.
 - iv. Prior to issuing dispersal orders, the IC shall ensure that all potentially necessary Law Enforcement, Fire and EMS equipment and personnel are on hand to successfully carry out tactical operations and that logistical needs for making mass arrests are in place.
 - v. When the IC has made a determination that an unruly gathering is present and crowd dispersal is required, he or she shall direct specific personnel, where time and circumstances permit, to issue warnings prior to taking action to disperse the crowd.
 - vi. The warning shall consist of an announcement citing the offenses or violations being committed, an order to disperse, and designated dispersal routes. A second and a third warning shall be issued at reasonable time intervals before designated actions are taken to disperse the crowd. Where possible, the warnings shall be audio or video recorded and the time and the names of the issuing officers recorded in the IC's event log.



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- f. Specific crowd dispersal tactics shall be ordered as necessary where the crowd does not heed warnings. These include, but are not limited to, any one or combination of the following:
- i. Display of forceful presence to include police lines, combined with motorcycles, law enforcement vehicles, mounted units, and mobile field forces.
 - ii. Crowd encirclement.
 - iii. Multiple simultaneous arrests.
 - iv. Use of aerosol crowd control chemical agents.
 - v. Law enforcement formations and the use of batons for forcing crowd movement.
- g. Mass Arrest.
- i. In a civil disturbance it may be necessary to make arrests of numerous individuals over a relatively short period of time. For this process to be handled efficiently, safely, and legally, the following shall be observed:
 - 1) Mass arrests shall be conducted by designated squads.
 - 2) An adequate secure area shall be designated for holding prisoners after initial booking and while awaiting transportation.
 - 3) MOS designated as transport officers shall be identified in advance.
 - 4) Arrest teams shall be advised of the basic offenses to be charged in all arrests, and all arrestees shall be advised of these charges.
 - 5) Arrestees who are sitting or lying down but agree to walk shall be escorted to the transportation vehicle for processing; two or more officers shall carry those who refuse to walk.
 - 6) Persons arrested, including juveniles, during a civil disturbance will be processed, transported, and booked in accordance with current routine policies and procedures. All visits, including those of counsel, will be in accordance with current Department and Detention Center policies.
 - 7) Prisoners shall be searched incident to arrest for weapons, evidence of the crime of arrest, and contraband.
 - 8) Photographs shall be taken of the arrestee and any prisoner property and a criminal complaint shall be completed.
 - 9) Injured prisoners and those who request medical attention shall be provided medical attention prior to transportation to the detention facility. Photographs shall be taken of all injuries.
- I. Deactivation:
1. When the disturbance has been brought under control, the IC shall ensure that the following measures are taken:
 - a. All personnel engaged in the incident shall be accounted for and an assessment and documentation made of personal injuries to include First Line Injury Reports are completed.
 - b. Witnesses, suspects, and others shall be interviewed or questioned.
 - c. All necessary personnel shall be debriefed as required.
 - d. All written reports shall be completed as soon as possible after the incident. Comprehensive documentation of the basis for the incident, the department's response to the incident, with a statement of impact to include the costs of equipment, personnel, and related items shall be completed.
- J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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FINANCIAL INSTITUTION ALARMS

GENERAL STANDARD

MOS shall respond to financial institution robbery alarms in a manner that maximizes the safety of responding MOS, the financial institution personnel, and other persons who may be present at the scene.

STANDARDS AND PROCEDURES

- A. When MOS are notified of a financial institution robbery alarm they shall immediately advise Communications of their location and announce their response.
 - B. MOS shall respond directly and as safely as possible. MOS shall:
 - 1. Slow down before arrival to avoid making presence known,
 - 2. De-activate emergency equipment within a reasonable distance of the alarm location to avoid detection of response,
 - 3. Use proper cross-street for safe and concealable approach, and
 - 4. Utilize safe positions to avoid "cross fire."
 - C. MOS are responsible for knowing the location of each financial institution, the most advantageous avenues of approach, and tactical deployment areas.
 - D. The first arriving MOS on the scene shall be designated as the "primary officer."
 - 1. The primary officer shall be responsible for the scene until relieved by a supervisor.
 - 2. The primary officer or supervisor shall notify Communications when to initiate telephone contact with the financial institution.
 - E. MOS shall consider the alarm as valid and remain in a safe position until Communications has obtained the validity of the alarm by telephone and a description of the financial institution "contact employee."

J. When the alarm has been determined to be invalid, MOS shall cautiously and discreetly check the interior of the institution after all safety precautions are made. During the check of the interior, the outer perimeter shall be maintained.



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- K. In the event of a valid alarm, MOS shall:
1. Request additional MOS as needed to secure the scene, evacuate civilians, and establish a perimeter,
 2. Maintain a position of cover until the suspect(s) have departed the institution,
 3. Attempt to remain inconspicuous in the event suspect(s) exit the institution so as to avoid their retreat into the building and a hostage situation,
 4. Prohibit all entry into the institution until it is determined that all suspect(s) have departed, or it is otherwise safe to do so, and
 5. When appropriate, notify SWAT.
- L. Off-duty MOS, if present in the institution during a robbery, shall use sound judgment and may refrain from direct action when such action would cause an equal or greater life-threatening situation.
- M. The SWAT team leader shall be responsible for notifying and providing training for financial institution personnel of their role in this procedure.
- N. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



RIO RANCHO

POLICE

SERVING SINCE 1981

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STANDARDS AND PROCEDURES

DOMESTIC DISTURBANCE AND ABUSE INCIDENTS

Section: 6
Chapter: 1
Article: 10

GENERAL STANDARD

Sworn MOS shall respond to domestic disturbance and abuse incidents and take appropriate action (arrest consistent with State Law should be presumed the most appropriate response) to reduce the incidence and severity, protect victims and provide them with support and assistance, while taking precautions to ensure their own safety.

This policy offers a comprehensive, pro-active approach to dealing with domestic violence or abuse incidents with an emphasis on victim safety. The Department shall work with the community resources and advocacy agencies to connect victims and other involved parties with appropriate services.

DEFINITIONS

Domestic abuse shall deem to have occurred when a person commits any of the following against a household member (a spouse, former spouse, family member, including a relative, parent, present or former stepparent, present or former in-law, child or co-parent of a child, or a person with whom one has a continuing personal relationship):

1. Physical harm,
2. Severe emotional distress,
3. Bodily injury or an assault,
4. A threat causing imminent fear of bodily injury by any household member,
5. Criminal trespass,
6. Criminal damage to property,
7. Repeatedly driving by a residence or workplace,
8. Telephone harassment,
9. Stalking,
10. Harassment or
11. Harm or threatened harm to children defined as a household member.

Protection order refers to any injunction or other order issued by a court, including criminal or civil orders of protection, regardless of form, content, length layout, or name (for the purposes of this policy, definitions shall be consistent with current State Statute), issued for the purpose of preventing the following:

1. Violent or threatening acts against another person,
2. Stalking or harassment of another person,
3. Contact or communication with another person, and
4. Physical proximity to another person.

STANDARDS AND PROCEDURES

A. Incident Response

1. Whenever possible, a minimum of two MOS shall respond to a domestic disturbance or abuse incident.
 - a. MOS should time their response to arrive simultaneously when practical.
 - b. MOS shall approach the scene with due caution and awareness, remaining cognizant of their investigative role.
2. While investigating a domestic disturbance or abuse incident, MOS shall:
 - a. Restore order by gaining control of the situation through appropriate measures,
 - b. Take control of all weapons used or threatened to be used when a physical or verbal assault has occurred,
 - c. Assess the need for medical attention and provide for medical assistance if indicated,
 - d. Interview all persons involved and witnesses,
 - e. Request a field investigator when practical to assist in processing the scene,



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- f. Collect and record evidence, and where appropriate, take color photographs of injuries and obtain waivers for medical records release,
 - g. Complete a detailed Offense/Incident Report to fully document the situation whether or not a crime was committed and the basis for whether or not an arrest was made,
 - h. Advise the victim(s) of the incident report number,
 - i. Complete necessary criminal complaint and related court paperwork,
 - j. When applicable, felony/ misdemeanor arrests shall be made, at the scene of a domestic disturbance, when there is probable cause to believe that the person has committed an assault or battery upon a family or household members in accordance with NMSA 31-1-7.
 - 1) In the event the suspect has left the scene, the MOS shall attempt to determine their location,
 - a) When suspect is located, MOS shall take appropriate action.
 - b) If suspect is not located on scene within a reasonable timeframe, but his/her identifying information is known by MOS, charges shall be filed against the suspect, by means of criminal complaint or arrest warrant. Considerations when charging (criminal summons v. arrest warrant)
 - (i) Flight risk
 - (ii) Likelihood to reoffend
 - (iii) Threat to the public (including victim)
 - (iv) Severity of offense, etc.
 - k. Provide the victim with a "Domestic Violence Packet" and advise of the procedure for initiating proceedings under the Family Violence Protection Act. The "Domestic Violence Packet" should serve to notify the victim or their Crime Victim Rights as set forth in state statute.
 - l. MOS should contact a victim advocate when their services are appropriate or requested.
 - m. Provide for the safety of any children present.
3. An arrest shall be made immediately when:
- a. A person commits a criminal offense in the MOS's presence,
 - b. A person(s) has violated a valid protection order pursuant to the Family Violence Protection Act, or
 - c. The MOS has probable cause to believe that the abuse was a violation of law and that the abusing household member committed the offense.
4. The Department discourages dual arrests of persons involved in incidents of domestic abuse. MOS shall:
- a. Seek to identify the primary aggressor, and
 - b. Consider whether one or more of the parties acted in self-defense.
5. For purposes of the arrest without warrant, field release and issuance of a non-traffic citation are not permitted when probable cause for an arrest is present.
6. If a special circumstance exists wherein the arrest may not fulfill the purposes of this policy, the MOS shall consult with a supervisor for the appropriate course of action.
7. MOS responding to domestic abuse shall take whatever steps reasonably necessary to protect the victim from further abuse including:
- a. Arresting the abusing household member when appropriate.
 - b. Advising the victim of the remedies available under the Family Violence Protection Act.
 - c. Advising the victim of the right to file a written statement or request for an arrest warrant.
 - d. Advising the victim of available domestic violence shelters, medical care, counseling, or other services.



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- e. Upon the request of the petitioner, providing or arranging for transportation of the victim to a medical facility, or place of shelter.
- f. Upon request, accompany the victim to the victim's residence for a reasonable period of time to ensure victim's safety while gathering personal clothing and effects for immediate needs for the victim, and any children then in care of the victim.
- g. Upon request of the petitioner, assist in placing the petitioner in possession of the dwelling, or premises, or otherwise assist in execution of the order of protection.
- h. Advising the victim when appropriate of the procedure for initiating proceedings under the Family Violence Protection Act, or criminal proceedings, and of the importance of preserving evidence.
8. Complete the Domestic Abuse Checklist and submit with the report. In cases where the offender is arrested:
 - a. Complete the victim information block and submit a copy to the Sandoval County Regional Dispatch to facilitate victim notification of the offender release from incarceration.
 - b. Ensure a copy is forwarded to the District Attorney's office to facilitate victim notification of legal proceedings.
9. Arrest warrants and protective orders should be served by no fewer than two officers.
10. All MOS should be aware of possible victim/witness intimidation or coercion and the increased danger when the victim leaves an abusive partner. The officer may assist the victim or other involved parties in safety planning when appropriate and caution the victim to be alert to stalking activities.

B. Protection Orders

1. If an Ex Parte Emergency Protection Order is needed and it is after the normal operating hours of the District Court the officer should complete an Ex Parte Emergency Protection Order and contact the appropriate District Court personnel for approval. In addition the officer shall:
 - a. Provide the petitioner a copy of the order,
 - b. Serve the respondent with a copy if possible,
 - c. Provide the communications center with a copy, and
 - d. Ensure the original, with a return of service, is submitted to the District Court on the next business day.
2. MOS have the authority to serve Protection Orders. Upon request, an officer shall serve the respondent with a Protection Order and complete an applicable Return of Service.
3. Officers shall investigate all allegations of violations of Protection Orders.
 - a. Officers shall fulfill the aforementioned responsibilities, and upon a finding of probable cause charge the respondent pursuant to 40-13-6C.
 - b. If the officer is unable to develop probable cause for an arrest, they shall refer the petitioner to the District Court for an Order to Show Cause.
4. Officers shall give full faith and credit to protection orders issued by courts in other states, and from tribal courts and enforce those orders as they are written.

C. Prosecution

1. The Department shall completely investigate incidents of domestic violence, and where warranted, seek prosecution even in cases where the victim recants.
2. Incident reports shall be made available by the Department to the victim without cost.

D. Training

1. The Department will provide training consistent with State mandates.
2. To enhance the effectiveness of the training, the Department should routinely assess and evaluate the training and its impact.

- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



RIO RANCHO POLICE

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STANDARDS AND PROCEDURES

MISSING PERSONS

Section: 6
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GENERAL STANDARD

It is the policy of the Rio Rancho Police Department to expeditiously respond to and thoroughly investigate all reports of missing persons. A person who is missing under "unusual circumstances" shall be considered "at risk", or 'endangered' until sufficient information to the contrary is confirmed.

DEFINITIONS

Missing Child: A person who is younger than eighteen years of age and whose whereabouts are unknown to his or her parents, guardian or responsible party, under circumstances that are uncustomary for the child or that would cause reasonable concern.

Amber Alert: The Amber Alert Plan is a cooperative endeavor between New Mexico broadcasters and New Mexico law enforcement agencies. Once an Amber Alert has been initiated, the information will be broadcast through the E.A.S (Emergency Alert System). Stations monitoring KKOB-AM will receive the broadcast, and participating stations will re-broadcast the message through their facility.

Silver Alert: The Silver Alert program is a cooperative endeavor between New Mexico Broadcasters, Rio Rancho Senior Services and New Mexico Law Enforcement agencies. In addition to the broadcast of relevant information by media, the reporting person may have identifying information available electronically.

Zone of Safety: The distance a child could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation based on the child's age, developmental stage, and related matters.

Missing Persons at Risk/ Endangered Missing Person Criteria: For purposes of this policy, the term "at risk" or "endangered" refers to a missing person whose disappearance involves circumstances that would cause a reasonable person to conclude that the missing person should be considered at risk. Those circumstances include, but are not limited to, any subject;

- Who is out of the zone of safety for his or her age and developmental stage,
- 8 years old and younger.
- 75 years old and older.
- Who suffers from a cognitive impairment such as Dementia, Autism, Traumatic Brain Injury, etc.
- Who is currently suicidal.
- With a medical condition requiring medication to survive.
- Who is missing due to a catastrophic event.
- Who is missing due to suspicious circumstances.
- Who is mentally incapacitated (e.g., developmentally disabled or emotionally disturbed),
- Who is medically dependent subject (e.g., insulin dependent),
- Involved in drug use,
- Who is a potential victim of foul play or sexual exploitation,
- In a life threatening situation,
- Reported to the police as missing after a delay on the part of the parents, guardians, or other responsible person,
- Believed to be with adults or older juveniles who could endanger his or her welfare,
- Who has been a victim of a crime as provided in the Crimes Against Household Members Act or in Section 30-3A-3 or 30-3A-3.1 NMSA 1978, or their equivalents in any other jurisdiction,
- Who is or was protected by an order of protection pursuant to the Family Violence Protection Act, or
- Who is absent under circumstances inconsistent with established patterns of behavior.



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STANDARDS AND PROCEDURES

A. Incident Response to Missing/Endangered Children

1. Unless acting in direct response to the child's safety, officers shall respond directly and promptly to the individual who made the initial report. The first arriving officer at the incident shall prioritize, and perform as appropriate, the following tasks.
 - a. A thorough home search should be conducted even if the child's disappearance occurred elsewhere. Irrespective of any search that may have been conducted previously by the parents or others, verify that the child is missing by conducting a consensual search of the house and grounds to include places where a child could be hiding, trapped or asleep. MOS shall search all vehicle trunks, and any other containers such as refrigerators and freezers.
 - b. Conduct interviews with parents or others who made the initial report in order to gain insight into the circumstances surrounding the disappearance and gather other information needed to conduct an initial assessment of the case.
 - c. Obtain a detailed description of the missing child, several recent photographs, and any recent videotape as available.
 - d. Confirm the child's custody status, whether a custody dispute or similar problem exists between the parents, whether a restraining order is in effect, or if the child has expressed an interest in living with the non-custodial parent.
 - e. Determine when, where and by whom the child was last seen; interview those who last saw the child and treat the location as a crime scene.
 - f. Where possible, take photographs and/or videotape of the incident scene and ensure that personnel do not tamper with potential evidence.
 - g. Identify any areas of the incident scene or the home that have been disrupted since the child's disappearance (to include the child's bedroom, bed clothing, and related areas). Items should be secured and protected until evidence and identification materials such as hair, fingerprints, or bite marks can be collected.
 - h. Identify the zone of safety for the child's age and developmental stage.
 - i. Based on available information, make an initial determination of the type of case, the need for additional resources, and whether the incident should be initially classified as involving an "at risk" subject as defined in this policy.
 - j. If the child was abducted, obtain a description of the abductors if available, the mode of travel, vehicle description, and related information and transmit to communications. Initiate the Amber Alert Policy.
 - k. Determine the correct NCIC missing person file category - disability, endangered, involuntary, juvenile or catastrophe - and request that communications personnel promptly enter this into the NCIC file.
 - 1) The information shall also be entered in the New Mexico Missing Person's Information Clearinghouse as required in NMSA 29-15-7.
 - l. Under normal circumstances, reporting to the Clearinghouse and NCIC should be accomplished within two hours of the original report.
 - m. Fully identify and separately interview anyone at the scene of the disappearance.
 - n. Provide parents with any documentation that is required by the state missing children's clearinghouse and tell them to include the photograph of the missing child.
2. A detailed chronological account of actions taken and information obtained from the initial contact shall be written.

B. Amber Alert

1. The Amber Alert system will report information about abducted children when the following criteria are met:
 - a. A child under the age of eighteen has been abducted;
 - b. The child is in imminent danger of serious bodily harm or death; and
 - c. There is specific information available about the child or the child's abductor that may assist in an expedient and successful end to the abduction.
2. When MOS believe a child abduction has occurred, MOS shall:
 - a. Notify communications or the on-duty supervisor and make the request for an Amber Alert.



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- b. Gather all available descriptive information about the child such as name, age, gender, height, weight, hair color, eye color, clothing, shoe type and color, and physical or mental disabilities.
 - c. Gather all available descriptive information of the abductor(s) such as name, age, gender, height, weight, hair color, eye color, clothing description, shoe type and color.
 - d. Gather all available information about the method of conveyance such as type of vehicle (make/model), color of vehicle, and direction of travel.
 - e. Gather all available pertinent information about the incident such as the time and place of the abduction.
 - f. Relay all information to communications, the on-duty supervisor, or other MOS as designated. Whenever possible, MOS should relay the information by telephone or in person in an effort to ensure its accuracy. However, if it will unnecessarily delay the Amber Alert, MOS should relay the information by any means available.
3. Amber Alerts shall only be initiated by a patrol squad supervisor, communications supervisor, or the public information officer.
- a. The designated MOS will notify the New Mexico State Police PIO, or KKOB-AM radio (via KKOB's non-public non-published telephone number) to request an Amber Alert. The MOS will be requested to provide their name and employee number in order to verify authorization. Only those MOS pre-authorized will be allowed to activate the system.
 - b. MOS should prepare a statement of thirty seconds or less which includes the most descriptive information available. This statement may be recorded for use in the alert.
 - c. A chain of command notification shall be made for all Amber Alerts.
4. Ensure that all responsibilities annotated within Incident Response to Missing/Endangered Children are fulfilled.
- C. Supervisor's Responsibilities for All Missing Persons
- 1. Where a person is missing under at risk or unusual circumstances, a supervisor shall ensure that the following measures are taken.
 - a. Obtain a briefing from the officers and other agency personnel at the scene sufficient enough to determine the scope and complexity of the case and develop appropriate response. Conduct the briefing away from the family, friends, and other involved individuals.
 - b. Ensure the first responding officer's responsibilities, as outlined in the foregoing section, have been fully and properly carried out.
 - c. Determine if additional personnel and resources are needed to assist in the investigation to include activation of interagency response protocols.
 - d. Appoint a search operations coordinator to organize search efforts. Determine whether tracking dogs are available and if they are appropriate for use under the immediate circumstances.
 - e. Assign a PIO to facilitate media inquiries and, if deemed appropriate, solicit media assistance in locating the missing person.
 - f. When appropriate, ensure that all required notifications have been made. This notification may include command staff and the investigations division, other law enforcement agencies, and available community resources.
 - g. Establish a liaison with the family who can explain police efforts and work with the family to uncover any information useful to the investigation.
 - h. Assess the need for additional services and contact the state clearinghouse and the National Center for Missing and Exploited Children (NCMEC) to determine what services, if any, can be provided.
 - i. Ensure a canvas of the neighborhood is done as soon as possible to identify and interview residents and others within the "abduction zone." Identify all vehicles parked within the neighborhood.
 - 1) If necessary, establish a command post (away from the person's residence) to assist in field management of the search and investigation.
 - 2) If the missing person is a child, assess the need for additional services and contact the state clearinghouse and the National Center for Missing and Exploited Children (NCMEC) to determine what services, if any, can be provided.

D. Investigator's Responsibilities for All Missing Persons

- 1. Where a case involves unusual circumstances as defined in this policy, the assigned investigator shall ensure that the following measures are taken.



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- a. Obtain a briefing from agency personnel at the scene.
 - b. Verify the accuracy of all descriptive information concerning the child, being alert to facts or statements that may conflict with those obtained by the officers or supervisor(s) on the scene.
 - c. Obtain a general history of recent family dynamics from available family members, neighbors, classmates, teachers, school counselors, and other persons who may have had close personal interaction with the child and/or family.
 - d. Conduct in-depth fact-finding interviews with all witnesses, friends or relatives of the missing person, teachers, classmates, or others who knew and/or routinely interacted with the child, placing particular emphasis on identifying any conflicting information offered by these or other individuals.
 - e. Review any interdepartmental records about the family or missing person, social service records, schools, and related organizations or agency records.
 - f. Reassess the need for additional resources and specialized services to include specialized search and rescue operations, state resources (e.g., state missing children's clearinghouses), and federal agencies such as the FBI and the NCMEC.
 - g. If the case is not resolved promptly, update descriptive records and those entered into state and federal missing person's databases to include dental characteristics, scars, marks and tattoos, fingerprints, and additional articles of clothing, jewelry, or possessions not previously itemized.
 - h. Determine whether a polygraph examination is warranted and request such an examination where indicated for parents, guardians, or other persons as appropriate.
 - i. Monitor media relations to include review of all agency releases to the media to ensure that information is not released that will compromise the investigation.
2. The investigator shall provide the family with whatever support is possible and appropriate. When possible, the investigator shall provide them with a copy of the Family Survival Guide prepared by the Office of Juvenile Justice and Delinquency Prevention or contact the National Center for Missing and Exploited Children to have one sent to them via overnight mail.

E. Incident Response to Missing/Endangered Adults

1. Unless acting in direct response to the adult's safety, officers shall respond directly and promptly to the individual who made the initial report and:
 - 1) Determine the circumstances surrounding the disappearance of the missing person.
 - 2) Determine the location the missing person was last seen. If the missing person was not last seen in the City of Rio Rancho:
 - 3) And the case is the responsibility of another jurisdiction, advise the reporting person to contact the law enforcement agency having jurisdiction.
 - 4) If the case involves someone who meets criteria for an at risk or endangered missing person, the officer shall personally notify the law enforcement agency having jurisdiction of the circumstances.
- a. Assess if the missing person should be considered a
 - 1) missing/endangered adult.
 - 2) Obtain biographical and other appropriate information about the missing person and complete an incident report.
 - 3) Ensure the missing adult's identifying information is entered into NCIC and the New Mexico Missing Person's Information Clearinghouse as required by NMSA 29-15-7.
 - 4) Under normal circumstances, reporting to the Clearinghouse and NCIC should be accomplished within two hours of the original report.
 - 5) Disseminate a BOLO for the missing person, and their vehicle if applicable, to appropriate law enforcement agencies.

F. Silver Alert

1. The Silver Alert system will report information about missing adults when the following criteria are met:



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- a. The adult is fifty years of age or older; and about whom there is a clear indication that the individual has an irreversible deterioration of intellectual faculties

2. When MOS believe that a missing adult meets the requirements for a Silver Alert, MOS shall:

- 1) Notify communications or the on-duty supervisor and make the request for a Silver Alert.
- 2) Gather all available descriptive information about the adult such as name, age, gender, height, weight, hair color, eye color, clothing, shoe type and color, and physical or mental disabilities.
- 3) Gather all available information about the method of conveyance such as type of vehicle (make/model), color of vehicle, and direction of travel.
- 4) Attempt to obtain a USB drive from the missing person's caretaker. If you receive this electronic information:
- 5) Download and save its contents onto your MDB.
- 6) Forward the saved information to assisting units as required. The need for information dissemination will increase as the search area increases.
- 7) The Department Public Information Officer will require this information for a Silver alert broadcast.
- 8) Under normal circumstances, the jump drive will be returned to the caretaker. If it is necessary to retain the jump drive, it shall be entered into evidence.
- 9) Relay all information to communications, the on-duty supervisor, or other MOS as designated. Whenever possible, MOS should relay the information by telephone or in person in an effort to ensure its accuracy. However, if it will unnecessarily delay the Silver Alert, MOS should relay the information by any means available.

- 10) A chain of command notification shall be made for all Silver Alerts.

3. Ensure that all responsibilities annotated within Incident Response to Missing/Endangered Adults are fulfilled.

G. Search and Rescue

1. The supervisor or commander in charge of a missing/endangered person incident or investigation shall make the decision on whether or not a full-scale search of an area is warranted.
2. In incidents where a full-scale search is warranted, the supervisor or commander in charge of the incident should consider the utilization of additional Department staffing resources, including specialized work units such as:
 - a. Canine Unit
 - b. Traffic Unit
 - c. Criminal Investigations Unit
 - d. School Resource Officers
 - e. All-Terrain Vehicle Unit
 - f. Department Public Information Officer
3. In incidents where the use of additional Department resources is deemed necessary, the supervisor or commander in charge of the incident shall coordinate the procurement of additional resources with the appropriate chain of command.
4. In incidents where a full-scale search is warranted, the supervisor or commander in charge of the incident should consider the utilization of non-Department resources, including:
 - a. APD Air Support
 - b. BCSO Air Support
 - c. NMSP Air Support



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- d. NMSP Search and Rescue
 - e. APD Search and Rescue
 - f. Rio Rancho Public Works
 - g. Rio Rancho Fire Department
 - h. Bernalillo County FD Water Rescue Personnel
 - i. FBI Child Abduction Rapid Deployment (CARD) Team
 - j. American Red Cross
5. In a missing/endangered person incident or investigation where a full scale search is conducted, the Department supervisor or commander shall maintain overall command responsibility for the operation.
6. In a missing/endangered person incident or investigation where the person is located in a situation requiring a coordinated rescue operation, the supervisor or commander in charge of the incident or investigation shall;
- a. Request that rescue personnel conduct the rescue operation.
 - b. Maintain investigative command and perimeter control, and transfer rescue operation control to rescue personnel.

H. Unidentified Children

1. An MOS, who is assigned to the report of an unidentified person who appears to be a child, whether living or deceased, is responsible for completion of the following tasks, among other responsibilities.
 - a. Obtain a complete description of the individual using standardized information gathering forms designated by this agency (or others such as the NCIC Unidentified Person File Worksheet).
 - b. Enter the child's description into the NCIC Unidentified Person File.
 - c. Utilize available resources to identify the child, to include:
 - 1) The National Center for Missing and Exploited Children,
 - 2) State missing and exploited children clearinghouses, and
 - 3) State medical examiner's offices and other organizations.

2. Once identification has been made, all notifications shall be cancelled.

I. Recovery and/or Case Closure

1. A MOS assigned to the recovery or return of a missing person shall complete the following tasks, among his or her other responsibilities.
 - a. Verify the identity of the returned person as the missing person while assessing the continued safety and gathering available information about possible predators.
 - b. During the verification process, determine whether intervention services are needed to ensure that the person can safely remain in the home and ensure that arrangements are made for delivery of these services. These include but are not limited to mental health and/or physical health examinations and arrangements for family counseling.
 - c. Complete designated supplemental reports and cancel all outstanding notifications to include any NCIC missing persons file entry and the state clearinghouse.
 - 1) Cancel all media notifications as well as Amber/Silver alerts.
 - 2) Update social media as needed.
2. Supplemental reports should describe the person's activities while missing and the circumstances of the recovery / return.
- J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

SEARCH AND RESCUE MISSIONS

Section: 6
Chapter: 1
Article: 12

GENERAL STANDARD

The Department recognizes the statutory responsibility of the New Mexico State Police for SAR missions and shall relinquish jurisdiction to them when appropriate, while continuing to provide support and professional assistance when possible.

STANDARDS AND PROCEDURES

- A. Incidents requiring SAR missions outside the jurisdiction of the Department shall be referred to the Albuquerque office of the New Mexico State Police as soon as possible.
 1. Upon the arrival of the State Police, MOS shall immediately relinquish authority.
 2. An MOS supervisor may authorize personnel to assist in the SAR mission when adequate manpower exists and local conditions permit.
- B. A SAR mission within the Department's jurisdiction may be coordinated solely by MOS.
 1. Incidents originating as SAR requests shall be investigated to determine if a crime has occurred such as, a report of a lost child could be a kidnapping.
 2. The situation must be evaluated to determine required resources. If the required resources are not readily available, the State Police shall be notified.
 3. When determining whether or not to notify the State Police about a SAR mission within the Department's jurisdiction, the supervisor should consider that the State Police has technical, personnel, aircraft, and logistical support readily available for SAR missions.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

BOMB EMERGENCIES

Section: 6
Chapter: 1
Article: 13

PURPOSE

To establish guidelines for the response and operations during a bomb emergency.

POLICY

The response and management of bomb emergencies shall be done in a safe and orderly manner.

PROCEDURE

A. Bomb Threat Procedures

1. Communication operators shall:
 - a. Notify the on-duty supervisor,
 - b. Notify the on-call fire supervisor, and
 - c. Dispatch the appropriate MOS.
2. MOS should cease radio and cell phone transmissions within at least a one-half mile radius of the bomb location. Communications shall be conducted by land-line telephone.
3. The first arriving MOS shall initiate the Incident Command System (ICS).
4. The Incident Commander (IC) shall designate an MOS to investigate the bomb emergency. The investigating MOS shall:
 - a. Make contact with the person in charge of the premises and the person who received the threat to determine if a suspected device located and how the threat was made.
 - b. Ascertain the information given by the caller, and determine if:
 - 1) Any background noise existed during the call,
 - 2) The caller had a speech impediment, accent, or a manner of speaking that was distinguishable, and
 - 3) The caller was calm or excited.
 - c. Determine if previous threats have been received.
 - d. Evaluate possible motives for the threat.
 - e. Report all pertinent information to the IC without unnecessary delay.
 - f. Complete an offense/incident report.
5. The IC shall determine the probability of an explosive device and initiate notification of proper chain of command.
6. Evacuation Procedures
 - a. If a suspected device has been located, the IC shall order and coordinate an immediate evacuation of the threatened area.
 - b. If an evacuation order is given by the IC, the decision to enter the threatened area shall be given by the IC.
 - c. When a device is not located, the civilian person who is responsible for the control of the threatened area will be required to make the decision to evacuate.
 - d. Occupants of the adjoining premises to the threatened area shall be notified, and the decision to evacuate shall be made in accordance with the aforementioned procedures.
7. Bomb Search Procedures
 - a. When there has been a specified time for detonation, MOS shall not search the threatened area 15 minutes before or after the given time.
 - b. Before a search is conducted, a plan shall be developed by the IC to enhance the efficiency and safety of the search. When possible, a floor plan of the threatened area shall be obtained for the assignment of areas to be searched.



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- c. MOS involved in the search shall be in full protective clothing including Self-Contained Breathing Apparatus.
- d. The search will be discontinued when:
 - 1) An explosive device has been found, or
 - 2) The IC is satisfied that the probability of finding a device by further searching is minimal.
- e. The decision to request the Albuquerque Police Department Explosive Ordnance Disposal Unit or other agency assistance shall be determined by the IC and approved by the Chief of Police.

B. Suspected Explosive Device Procedures

1. When a report that a suspected explosive device has been found, the MOS receiving the report shall attempt to obtain the following information:
 - a. Description or type of device,
 - b. Location of device,
 - c. Other relevant information affecting an appropriate response.
2. The MOS receiving the report shall notify Communications without unnecessary delay.
3. Communication operators shall:
 - a. Dispatch appropriate units as necessary for evacuation and establishment of a security perimeter,
 - b. Notify Fire, EMS, and on-duty supervisors, and
 - c. Notify the Chief of Police.
4. MOS Responsibilities
 - a. The first arriving MOS shall initiate the ICS.
 - b. MOS shall cease radio transmissions within at least a one-half mile radius of the location of the device. Communications shall be conducted by land-line telephone.
 - c. The IC shall be responsible for coordinating perimeter security in the immediate area surrounding the known or suspected device.
 - d. The IC shall be responsible for coordinating the evacuation of occupants from the immediate area (300 feet or more) and attempt to view the area of the explosive device from a location that provides maximum protection.
 - e. MOS, other than trained and authorized personnel, shall not move or handle a suspected or known explosive device.
 - f. When the suspected device is located, MOS shall obtain complete information and relay the information to the IC as soon as possible.

C. Delivered Explosive Devices and Ammunition

1. When an explosive device is delivered to any MOS, MOS shall:
 - a. Obtain identification and other pertinent information from the person who delivered the device,
 - b. Immediately notify the on-duty supervisor of the situation, and
 - c. Complete an incident report and the Evidence and Property Record.

D. Detonated Devices

1. When an explosive device has detonated:
 - a. Communications shall:
 - 1) Dispatch the closest units to the scene, including fire and EMS units. Attempts shall be made to keep the reporting party on the phone while MOS are responding. Dispatched units shall be constantly updated on incoming information.



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- 2) Attempt to obtain as much information as possible from the reporting party concerning the location of the explosion, injuries, and/or area of fire involvement.
 - 3) Notify the Fire, EMS, and on-duty supervisors.
 - 4) Notify the Chief of Police.
2. Arriving MOS shall:
- a. Locate the nearest fire hydrant and advise responding fire apparatus.
 - b. Advise Communications of the extent of fire involvement, the best routes for approaching the scene, and the need for additional personnel or resources.
 - c. No MOS shall approach the scene without specific instructions from the IC, but shall instead report to a staging area established by the first arriving MOS.
 - d. The IC shall be responsible for coordinating a security perimeter in the immediate area surrounding the explosion.
 - e. Responding fire apparatus and ambulance shall conform to existing procedure.
- E. This procedure is to be used in conjunction with Department rules and regulations and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**HANDLING CLANDESTINE LABORATORIES**

Section: 6
Chapter: 1
Article: 14

GENERAL STANDARD

The Department recognizes the inherent dangers of clandestine laboratories (clan lab) operating in our community. The Department will provide guidance and training to personnel responding to clandestine laboratories in order to safely neutralize the hazards associated with this illegal activity.

DEFINITIONS

Clan Lab Incident: Any incident involving the illegal manufacture of controlled substances by chemistry or the dumping or discarding of chemicals or other substances used in such manufacture.

Clan Lab Team: A group of MOS, consisting of at least two entry MOS, two rescue MOS, and a designated site security MOS who are trained, certified, and supervised to OSHA Standards to investigate, shut down, and clean up a clan lab incident.

Clan Lab Coordinator: An MOS trained and certified to OSHA Standards who is designated to coordinate Department response to clan lab incidents including recruiting of qualified personnel, maintenance of personnel and incident records, liaison with other agencies, coordination of purchases and maintenance of lab team equipment inventory.

PPE: Personal Protective Equipment.

SCBA: Self Contained Breathing Apparatus.

APR: Air Purifying Respirator (gas mask).

Level B PPE: Sealed, non-permeable, chemical protective suit, including inner and outer gloves, boot covers and self-contained breathing apparatus (SCBA).

STANDARDS AND PROCEDURES**A. Notification**

1. When a clan lab incident is confirmed, the investigating MOS, or on-scene supervisor shall make notifications to the following:
 - a. Chain of command,
 - b. Criminal Investigations Division,
 - c. SWAT commander or designee if a warrant service on such a location is planned or anticipated, and
 - d. Fire/EMS commander to coordinate standby and response in case of a fire or injury during an operation.
2. Notification should be made to the DEA Task Force, to request assistance if needed, or make the DEA aware of any on-going operation for possible federal charges, and to coordinate disposal of chemicals utilizing a private contractor.

B. Immediate Actions

1. When a clan lab incident is discovered, law enforcement MOS shall take the following immediate actions:
 - a. Clear the structure or area of all persons and establish and maintain a perimeter.
 - 1) MOS should not turn off power to, or disturb any, equipment or containers.
 - 2) MOS should not permit any persons to enter the perimeter.
 - 3) MOS should detain and identify any persons found inside, or in the immediate vicinity of the lab location.
 - b. Notify the supervisor and initiate command notification as outlined above.
2. Request additional personnel, as needed, to maintain the perimeter.

C. Investigations and Warrant Service

1. It shall be the responsibility of the investigating case agent to notify and coordinate with clan lab certified MOS and the DEA Task Force when a warrant service is anticipated.
2. The SWAT commander or his/her designee shall be notified and a SWAT Warrant Service Risk Assessment performed.



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3. Prior to executing any warrant on a clan lab incident, participating MOS shall be briefed on all intelligence regarding chemical hazards and location of the suspected lab within the target structure.
 4. The SWAT team leader, or his/her designee, shall coordinate with clan lab certified MOS regarding the level of PPE (if any) required for entry into the target structure.
 5. If the decision is made to enter the target location, entry MOS shall clear the structure to quickly and safely detain and remove any occupants to minimize exposure to possible atmospheric hazards.
- D. Clan Lab Certified MOS Response
1. The Clan Lab Team shall respond when requested.
 2. Response shall be non-emergency unless directed otherwise by the on-scene supervisor.
 3. Clan lab certified MOS shall maintain their own supply of PPE and bring it with them to the scene.
 4. The first arriving clan lab certified MOS shall confer with the scene supervisor to assure that all immediate action steps have been taken, and to coordinate further response.
 5. Clan lab certified MOS shall coordinate with the case agent or investigator regarding evidence collection.
 6. In the event adequate numbers of Department clan lab certified MOS are not available to respond, surrounding agencies, such as the Region I Drug Task Force and/or the DEA Task Force, shall be contacted to provide additional personnel.
 7. Assessment and clean-up operations shall not begin until the site safety officer is present, has prepared a site safety plan in compliance with OSHA regulations, and adequate certified personnel are present and equipped with the necessary PPE.
- E. Assessment and Clean-up Operations
1. Clean-up operations shall comply with OSHA regulations for operations in hazardous environments and recognized guidelines for clan lab assessment and clean up.
 2. The Site Safety Officer shall determine the level of respiratory protection needed for initial assessment. The Site Safety Officer shall assign duties to team members.
 3. A minimum of two clan lab certified personnel using an appropriate level of PPE shall make entry to assess the lab. A minimum of two clan lab certified personnel (but not less than the number of entry personnel) using the same PPE level shall standby outside the lab location for emergency assistance. Standby personnel shall maintain verbal and/or visual contact with the assessment team.
 4. The assessment team shall use atmospheric monitoring equipment (Multi-Gas or Drager monitors), as appropriate, before initial entry and intermittently during operations to determine atmospheric conditions. Appropriate action, including evacuation and ventilation, shall be taken immediately upon detection of an atmospheric hazard.
 5. The site safety officer shall closely monitor all entry operations for compliance with OSHA regulations and rotate personnel for rest, recuperation and medical monitoring by EMS personnel as indicated.
 6. After completion of the assessment and consultation with the assessment team, the site safety officer shall determine the level of respiratory protection needed for further operations. In the event of a suspected or confirmed anhydrous ammonia lab, or any lab found to be "cooking," or to have chemical reactions in progress, operations shall be performed using Level B PPE until the site safety officer has determined that such hazards have been removed, and the location adequately ventilated.
 7. Certified personnel shall conduct in-place evidence documentation and photography after the assessment has been completed.
 8. Sorting, separation, and decontamination zones shall be set up outside the lab location in accordance with the MOS's training. A written log shall be kept of all items removed including location found, description, amount, and chemical category if known.
 9. Chemicals shall be separated by type (if known) and adequate distance shall be maintained between containers to prevent hazardous mixing if a spill, or leak occurs. A separate area shall be used to segregate unknown substances.
 10. Clan lab certified MOS shall request disposal contractor response through the DEA Task Force. It shall be the responsibility of clan lab certified MOS to remain at the scene to brief and assist the contractor until all materials have been removed.
 11. Clan lab certified MOS shall determine the likelihood of hazardous spills or residue remaining at the location and coordinate with the DEA Task Force for mitigation of any such hazards.



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F. Documentation

1. The following documentation shall be completed and filed following any clan lab incident, in addition to Offense/Incident Reports and Fire/EMS reports as required:
 - a. A site safety plan and map prepared by the site safety officer while at the scene.
 - b. Clan Lab Exposure forms shall be completed by all personnel entering the structure, or directly involved in any on-site operations at an incident where chemicals are located.
 - c. Any MOS injured at the scene of a clan lab shall complete a First Report of Injury.
 - d. A Clan Lab Inventory, including detailed descriptions of any chemicals and/or equipment found, their amounts, packaging, spills or leakage and an inventory of chemicals and other items removed by the disposal contractor.
 - e. Copies of Evidence/Property Records recording chemical samples taken for lab analysis.
2. Documentation shall be compiled and maintained by the Clan Lab Coordinator and filed in a separate folder for each clan lab incident.

G. Equipment and Supply

1. Non-disposable equipment shall consist of APR, SCBA, flash fire protective clothing, chemical protective boots, ballistic vests and helmets, and atmospheric monitoring equipment.
 - a. Clan lab certified MOS shall be responsible for storing and maintaining issued non-disposable equipment.
 - b. The Department shall be responsible for replacing any issued equipment that is no longer serviceable in accordance with current labor contract.
2. Disposable equipment shall consist of chemical protective suits, gloves, boot covers, suit sealing tape, APR filter cartridges, cleaning supplies, atmospheric testing cartridges, and materials needed for setting up sorting, separation and decontamination areas.
 - a. Disposable equipment shall be stored in a central location and issued as needed to replace items used by clan lab certified MOS.
 - b. Clan lab certified MOS shall maintain adequate supply of disposable equipment for operations in the event of dispatch to a clan lab incident.
3. The Department equipment issued, or provided to the MOS through training, shall remain the property of the Department.

H. Qualifications

1. Clan lab team members shall be physically fit. The investigative process following the discovery of a clan lab requires specialized training, equipment and a high level of aerobic, as well as anaerobic fitness, to endure prolonged activity while wearing PPE.
2. Clan lab operations may be discovered at any time by law enforcement criminal and patrol MOS. Clan lab certified MOS shall be issued a Department pager to be worn at all times for notification of the need to respond to the scene of a lab. The pager does not constitute being on-call, but is intended to provide a means of communicating the need for their services. MOS shall respond via telephone or Department radio of their ability to report to a scene.
3. MOS supervising, investigating, clearing, securing, providing security, or on Fire/EMS standby for clan lab incidents shall complete a Department clan lab awareness class every two years.
4. MOS performing inventory, dismantling, evidence collection, chemical handling, or disposal of chemicals at a clan lab incident shall be clan lab certified through an OSHA approved certification course to include current medical examinations as required by OSHA.
5. MOS performing safety supervision of personnel directly involved in inventory, dismantling, evidence collection, chemical handling or disposal of chemicals at a clan lab incident shall be clan lab site safety certified through an OSHA approved site safety course.

I. OSHA Requirements

1. Medical: MOS are required to have an initial, annual, and separation physical examination including respiratory capacity and blood chemistry.
2. Certification: Clan lab certified MOS must complete an OSHA approved clan lab basic course and yearly recertification. An additional 8-hour certification class is required for site safety officers.
3. Training: Clan lab certified response MOS shall be trained and updated on chemical hazards specific to clan labs and the use and maintenance of protective equipment.



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J. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures



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STANDARDS AND PROCEDURES

PROTECTIVE CUSTODY

Section: 6
Chapter: 1
Article: 15

GENERAL STANDARD

Sworn officers are authorized to detain an individual for protective custody pursuant to New Mexico State Statute to protect that individual or others from harm, due to intoxication or mental disorder.

Definitions

Authorized Person - a physician or police officer.

Intoxicated Person - a person whose mental or physical functioning is substantially impaired as a result of the use of alcohol or drugs.

Incapacitated Person - a person who, as a result of the use of alcohol or drugs, is unconscious or has the person's judgment otherwise so impaired that the person is incapable of realizing and making rational decisions.

Likelihood of Serious Harm to Oneself - it is more likely than not that in the near future the person will attempt to commit suicide or will cause serious bodily harm to the person's self by violent or other self-destructive means, including but not limited to grave passive neglect.

Likelihood of Serious Harm to Others - it is more likely than not that in the near future a person will inflict serious, unjustified bodily harm on another person or commit a criminal sexual offense, as evidenced by behavior causing, attempting or threatening such harm, which behavior gives rise to a reasonable fear of such harm from the person.

Mental Disorder - a substantial disorder of a person's emotional processes, thought or cognition that grossly impairs judgment, behavior or capacity to recognize reality, but does not mean developmental disability.

Treatment Facility

- a. An institution under the supervision of the Department of Health and approved by the Department for the care and treatment of alcohol-impaired persons or drug impaired persons.
- b. A public institution approved by the Department of Health for the care and treatment of alcohol-impaired persons or drug-impaired persons, but not specifically under the supervision of the Department; or
- c. Any other facility that provides any of the services specified in the Detoxification Reform Act and is licensed by the Department for those services.

STANDARDS AND PROCEDURES

A. Protective Custody

1. An intoxicated or incapacitated person may be committed to a treatment facility at the request of an authorized person for protective custody, if the authorized person has probable cause to believe that the person to be committed:
 - a. is disorderly in a public place;
 - b. is unable to care for the person's own safety;
 - c. has threatened, attempted or inflicted physical harm on himself or another;
 - d. has threatened, attempted or inflicted damage to the property of another;
 - e. is likely to inflict serious physical harm on himself;
 - f. is likely to inflict serious physical harm on another; or
 - g. is incapacitated by alcohol or drugs.
2. The administration in charge of a treatment facility may refuse a request if the treatment facility is at its relevant capacity or if the person to be committed is deemed too ill, injured, disruptive or dangerous to himself or another to be managed at the treatment facility.
3. An intoxicated person held in protective custody pursuant to the Detoxification Reform Act shall not be considered to have been arrested or charged with any crime. Fingerprints or photographs will not be taken of the intoxicated person.
4. Officers shall complete a detailed Offense/Incident Report when placing an individual in protective custody. A record of protective custody shall not be considered as an arrest or criminal record and no arrest number shall be assigned.



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5. Prior to taking an intoxicated person into protective custody, officers shall obtain approval from a supervisor unless exigent circumstances exist.
- B. Emergency Mental Health Evaluation
 1. Police officers may detain and transport a person for emergency mental health evaluation and care in the absence of a legally valid order from the court only if:
 - a. The person is otherwise subject to lawful arrest.
 - b. Officers has reasonable grounds to believe the person has just attempted suicide.
 - c. The police officer, based upon his own observation and investigation, has reasonable grounds to believe that the person, as a result of a mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm. Immediately upon arrival at the evaluation facility, the peace officer shall be interviewed by the admitting physician or his designee.
 - d. A licensed physician or certified psychologist has certified that the person, as a result of mental disorder, presents a likelihood of serious harm to himself or others and that immediate detention is necessary to prevent such harm.
 2. Officers shall transport mentally disturbed persons to the nearest hospital or evaluation facility when appropriate.
 - a. Upon arrival at the evaluation facility, officers shall transfer responsibility of the patient to hospital personnel. If the patient is violent, the officer shall remain until the person becomes docile.
 - b. Transfer is deemed to have occurred when initial contact has been made by hospital medical personnel.
 - c. Upon transferring responsibility, officers shall not be responsible for the care and additional transportation required for patients that may need specialized treatment.
 3. When a mentally disturbed person has been transported to an evaluation facility, officers shall complete a detailed Offense/Incident Report. The transportation of a mentally disturbed person shall not be considered as an arrest or criminal record and no arrest number shall be assigned.
- C. Police Officer Liability
 1. Officers who transport an intoxicated person shall conduct a pat-down search of that intoxicated person.
 2. A police officer shall not be held civilly liable for assault, false imprisonment or other alleged torts or crimes on account of reasonable measures taken under the authority of the Detoxification Reform Act, if such measures were, in fact, reasonable and did not involve use of excessive or unnecessary force.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Pursuit of Violators

Section: 7
Chapter: 1
Article: 1

GENERAL STANDARD

The major objective of the Rio Rancho Police Department is the protection of life and property; therefore, pursuits are only justified when an MOS has reason to believe that a suspect presents a clear and imminent threat to public safety; or when the necessity of immediate apprehension outweighs the level of danger created by the pursuit. The practice of protecting and preserving life shall be placed above all other considerations.

The decision to initiate a pursuit must be based on good judgment tempered with common sense and foresight of potential hazards. Vehicle pursuits are a valid enforcement activity performed by MOS attempting to apprehend fleeing suspects under certain emergency circumstances. When in pursuit, MOS will engage both lights and siren. MOS are obligated to continuously weigh the gravity of the offense and the emerging circumstances against the potential dangers the pursuit poses to the public and themselves.

DEFINITIONS

Following a Vehicle- Officers are following a vehicle, when driving in close proximity to a suspect vehicle at or below the posted speed limit, but emergency lights and siren are not activated.

Reasonable Suspicion- For the purposes of this policy, an officer must be able to articulate specific facts which, when taken in the totality of the circumstances, reasonably indicate that a suspect did commit or has attempted to commit a violent felony as outlined in this policy.

Motor Vehicle Pursuit - An active attempt by an officer in an authorized emergency vehicle to apprehend a fleeing suspect who is actively attempting to elude the police.

Pursuit Rated Vehicle- A vehicle that is determined by the manufacturer to be equipped with necessary safety components, and designed for motor vehicle pursuit driving.

Primary Pursuit Vehicle – The police vehicle operated by the MOS initiating the pursuit or another police vehicle which assumes the lead pursuit position.

Secondary Pursuit Vehicle – The police vehicle which becomes involved in the pursuit immediately following the primary pursuit vehicle and acting as the primary pursuit vehicle's back-up.

Clear and Immediate Serious Threat – A threat which is present prior to the pursuit and which represents a willful disregard by the occupants of the vehicle of the rights and safety of others which reasonably places the public in imminent danger of great bodily harm or death.

Marked Police Vehicle – Any police vehicle identifiable by color scheme, red and blue emergency lighting permanently mounted on or within the vehicle, equipped with a siren, and has Department markings and/or police lettering.

Semi-Marked Police Vehicle – A police vehicle not identifiably marked by a distinctive color scheme. Red and blue emergency lighting may be mounted within the vehicle, equipped within the vehicle, equipped with a siren, and may have partial police marking.

Roadblock – A restriction or obstruction used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a violator.

Authorized Tire Deflation Device – A device designed and intended to produce a controlled deflation of one or more tires of a pursued vehicle, and capable of operation consistent with criteria established in this policy.

Ramming – The use of one or more police vehicles to force another vehicle to stop by physically striking the suspect vehicle as to cause the suspect to stop.

Boxing – The surrounding of a violator's moving vehicle with moving pursuit vehicles which are then slowed to a stop along with the violator's vehicle.

PIT (Pursuit Immobilization Technique) – A method to reduce the risks in bringing pursuits to a conclusion by using a police vehicle to force the suspect's vehicle into a rotational spin to stop the suspect's flight.

STANDARDS AND PROCEDURES

A. General Guidelines

1. No more than two police vehicles will be actively involved in a vehicle pursuit unless otherwise directed by the monitoring supervisor based on circumstances of the pursuit. ([Safe Pursuit Act](#))
2. MOS shall not attempt maneuvers that are beyond their ability.
3. MOS shall not pass or attempt to pass another police vehicle involved in the pursuit unless advised to do so by the primary unit or monitoring supervisor.



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4. MOS shall not pursue using police vehicles which have prisoners, witnesses, suspects, complainants, or other passengers. This guideline does not apply to riders who are sworn law enforcement from other agencies, or authorized riders who have signed a ride-a-long waiver.
5. During pursuit, MOS are discouraged from passing the suspect's vehicle and it should be attempted only when it is considered safe to do so.
6. Deliberate contact or forcing the suspect's vehicle off the road while operating at slow speeds shall be considered a use of force and must be objectively reasonable under the circumstances. When feasible, MOS should obtain monitoring supervisor's approval prior to this action.
7. Extreme care shall be exercised by the MOS whenever operating contrary to traffic control devices.
8. MOS shall not pursue a vehicle the wrong way on a one-way street, or the wrong way on a divided roadway. However, the MOS may parallel the subject in the proper lanes of travel and may reengage when appropriate.
9. Caravanning—a group of uninvolved police vehicles traveling together, usually in file—is prohibited.
10. Non pursuit-rated vehicles may initiate a pursuit; however, they should be replaced with marked pursuit-rated vehicles as soon as possible. Once replaced, the non-pursuit rated vehicle shall immediately disengage from the pursuit, unless approved by the monitoring supervisor for the purpose of additional back-up.
11. Semi-marked police vehicles equipped with emergency lighting may initiate a pursuit when marked units are unavailable; however, they should be replaced with marked police vehicles as quickly as possible. Once replaced, the semi-marked police vehicle shall immediately disengage from the pursuit, unless the monitoring supervisor directs otherwise for the purpose of additional back-up.
12. In the event a pursuit is initiated by a police motorcycle, the pursuing motor officer shall relinquish the primary pursuit vehicle role when a properly equipped four-wheeled unit has joined the pursuit. Thereafter, the police motorcycle shall relinquish the role as secondary police vehicle once a second four-wheeled police vehicle joins the pursuit. Once replaced, the police motorcycle shall immediately disengage from the pursuit, unless approved by the monitoring supervisor for the purpose of additional back-up.

B. Criteria for initiating a Pursuit

1. The responsibility for the decision to initiate a pursuit rests with the initiating MOS, who shall operate under strict compliance with this policy, the Safe Pursuit Act, and § 66-7-6 of the New Mexico State Statutes, which grants exemptions from certain traffic laws to operators of authorized emergency vehicles.
2. MOS may initiate a pursuit under any of the following circumstances:
 - a. A violent felony offense (except felony fleeing and eluding) which presents a discernable and imminent need to apprehend the suspect to ensure public safety.
 - b. The suspect demonstrates a clear and immediate danger to others that existed before initiating the pursuit. A pursuit may be reinitiated if the suspect's driving behavior—Independent of police presence—continues to create an imminent threat to the public.
3. MOS shall not engage in pursuit for traffic violations or misdemeanor offenses not meeting the criteria stated in this policy.

C. In determining whether to engage in a pursuit, MOS shall consider all relevant factors, including the following:

1. Nature and seriousness of the offense;
2. Speeds involved and the suspect's driving actions;
3. Method of escape;
4. Safety of the general public, the pursuing MOS, and the pursued vehicle's occupants;
5. Direction of travel, such as toward or away from any densely populated areas, residential areas, active school zones, etc.;
6. Environmental factors, such as rain, fog, ice, snow, or darkness that might substantially increase the danger of the pursuit;
7. Extent to which a suspect may be identified and there also the feasibility of apprehending that suspect at a later time and place;
8. Knowledge of the suspect's possible destination or direction of movement and a there also a chance to coordinate interception;
9. Likelihood that the suspect may use weapons or forcibly resist apprehension;
10. Potential for physical harm to persons or property resulting from pursuit of the suspect;



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11. MOS's familiarity with the pursuit area;
12. Ability and quality of radio communications;
13. Volume of vehicular and pedestrian traffic;
14. Overall condition of the suspect and police vehicles involved; and
15. Capabilities defined for each specific vehicle involved in the pursuit.

D. Pursuit Initiation Procedures:

1. When following a vehicle and a suspect vehicle increases speed above the legal limit or begins disregarding traffic signs and signals, the officer should, as soon as practical, initiate a traffic stop or immediately discontinue following the vehicle unless the situation meets this policy's criteria for a motor vehicle pursuit.
2. Once it is apparent a vehicle operator is attempting to evade police, the initiating MOS should either immediately disengage from the suspect, or shall immediately activate the police vehicle's emergency lights and siren, and continuously use both as long as the pursuit continues.
3. MOS shall notify Communications Center as soon as reasonably possible once a pursuit commences. The following factors should be communicated by the MOS:
 - a. The MOS's call sign,
 - b. The suspect's alleged offense or reason for the pursuit,
 - c. Present location,
 - d. Direction of travel,
 - e. Current speed of pursuit,
 - f. Description of suspect vehicle with registration, if known, and the number of occupants,
 - g. Vehicle traffic and pedestrian traffic,
 - h. Weather conditions,
 - i. Any known conditions of the police vehicle that are unsafe such as new or preexisting damage to the vehicle, and
 - j. Possible identity of any suspect(s).

E. Primary Pursuit Vehicle Responsibilities

1. The authority of the primary pursuit vehicle shall be at all times subordinate to the field supervisor's command and directives.
2. The primary pursuit vehicle provides updated information to the Communications Center of the direction of travel, speed, and the pursued vehicle's action continuously.
3. The primary vehicle may request the secondary vehicle to provide all communications with the Communications Center in order to safely operate the police vehicle. If the primary pursuit vehicle is a two-officer unit, the passenger should operate the radio when possible.
4. The MOS and the monitoring supervisor continuously weigh the existing danger to themselves and the public to determine whether they should terminate the pursuit.
5. Terminate the pursuit if a supervisor is not available to monitor the pursuit.

F. Secondary Pursuit Vehicle Responsibilities

1. MOS shall not enter a pursuit without first activating the police vehicle's emergency lighting and siren, and notifying the Communications Center of their involvement.
2. MOS shall not enter a pursuit in which two police vehicles are already involved unless otherwise directed by a monitoring supervisor.
3. The primary and secondary pursuit vehicles shall position and space themselves accordingly so they can see and avoid hazards and react safely to the fleeing vehicle's maneuvers.



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4. Whenever MOS in a secondary pursuit vehicle assume primary pursuit vehicle position, they shall immediately notify the Communications Center.

G. Support vehicle(s)

1. When located in adjacent beats and not directly involved in the pursuit, MOS may move into the area or towards a pursuit route at a safe and reasonable speed to assist in clearing intersections and other duties that may be assigned by the primary pursuing MOS, or the monitoring supervisor.
2. No MOS should parallel the pursuit route. MOS are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public.
3. Non-pursuing MOS needed at the termination of the pursuit shall respond in a reasonable manner, in accordance with the [Emergency Driving Policy](#), unless otherwise advised by officers involved in the termination of the pursuit or as the monitoring supervisor may direct.

H. Aircraft Support

1. The primary and secondary pursuit vehicles should consider the participation of aircraft assistance when determining whether to continue the pursuit.
2. In the event air support from an assisting agency is available and arrives, the common practice is for the air unit to coordinate the activities of resources on the ground, report progress of the pursuit and provide MOS and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether or not to continue the pursuit.
3. When the aircraft has advised that the suspect vehicle is in sight, MOS may be directed by the monitoring supervisor to turn off their emergency lights and siren and slow to a safe operating speed. The MOS should attempt to be in position to apprehend the suspect when the vehicle stops dependent on the tactics needed for the pursuit.

I. Methods of Forcible Stop ([Graham V. Connor](#))

1. Boxing is generally not allowed unless the maneuver can be accomplished with minimal risk. The tactic is most appropriate in order to prevent a vehicle from fleeing a stationary position. Boxing shall be utilized only when considered safe, at low speed, with supervisory approval, and no reasonable belief that the threat of firearms being used on MOS appears to exist, when sufficient vehicles are available, and appropriate traffic and road conditions are present.
2. Ramming a vehicle at high speed with the purpose of functionally damaging or forcing the suspect vehicle off the roadway shall be considered deadly force and should only be used in the most exigent of circumstances due to the possibility of airbag deployment and potential for injury to innocent bystanders or passengers, the MOS, or the suspect. A suspect vehicle should be rammed from the side, if possible. Striking the front or rear is likely to cause the vehicle to spin out-of-control, possibly resulting in serious or fatal injuries to those involved.
3. The PIT maneuver is not currently taught to MOS within the Rio Rancho Police Department, so the technique shall not be attempted or authorized unless use of deadly force is justified.

4. Tire Deflation Device (TDD)

- a. MOS engaged in pursuits, or supervisors who have reason to believe the continued movement of the fleeing vehicle will place the public and/or the suspect in imminent danger of serious bodily harm, may use, or request the use of authorized TDD in order to bring the suspect vehicle to a stop.
- b. TDD may also be used to prevent stationary vehicles from being moved in an attempt to flee a scene.
- c. Prior to using the TDD, MOS shall have completed training in the use of the device.
- d. All the following criteria shall be met prior to the use of the TDD:
 - 1) Reasonable cause exists to believe the suspect has committed an offense justifying his/her arrest.
 - 2) The MOS attempting to apprehend the suspect is directing the suspect to stop by using emergency lighting and siren, unless the vehicle is stationary.
 - 3) The suspect ignores the MOS's directives, efforts or warnings which would be obvious and/or visible enough for the suspect to perceive.
- e. MOS shall consider the following prior to deploying the TDD:
 - 1) Determine an effective and safe location to deploy the TDD.



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- 2) Deployment locations should have reasonably good sight distance to enable the MOS deploying the TDD to observe the pursuit and other traffic as it approaches.
 - f. A TDD shall not be deployed in conjunction with or proximity to any of the following:
 - 1) Curves
 - 2) Bridges
 - 3) Locations where reasonable judgment proscribes against TDD deployment
 - 4) Any vehicle transporting hazardous materials
 - 5) Any passenger bus transporting passengers
 - 6) Any school bus transporting students
 - 7) Any vehicle that would pose an unusual hazard to innocent parties, and
 - 8) Any two wheel vehicles (motorcycles, etc.), unless deadly force is justified.
 - g. The TDD should be deployed in a location with natural barriers, such as roadway overpasses, trees, guardrails or shrubbery. These barriers will help conceal the MOS from the suspect's view and enable more effective TDD deployment from a relatively safe position.
 - h. Circumstances permitting, the monitoring supervisor shall deploy a MOS in the opposite lane of travel from the violator to insure that oncoming traffic stops before reaching the TDD deployment location.
 - i. Traffic congestion, special events, and/or activities may create situations where the use of the TDD would not be safe or appropriate.
 - j. Position and vulnerability of the public, private property, and other assisting units and available equipment must be considered.
 - k. Pursuit vehicles shall coordinate with the MOS and/or inter-jurisdictional agencies whenever deploying the TDD or assisting in the pursuit in order to ensure the safe and effective use of the TDD.
 - l. When the decision is made to deploy the TDD, the pursuing police vehicles will notify the MOS deploying the TDD as far in advance as possible.
 - m. The MOS deploying the TDD will be in position at a predetermined location in sufficient time for proper deployment.
 - n. All pursuing MOS shall be notified once the TDD is deployed.
 - o. MOS shall deploy TDD using manufacturer's recommendations and Department training guidelines.
 - p. MOS shall keep a safe distance and avoid physical contact with the rope or the TDD as fleeing vehicle arrives and crosses the TDD.
 - q. MOS who deploy the TDD shall remove and secure them immediately after use. This includes searching the TDD deployment area and collecting all detached spikes, points, and other loose parts.
 - r. The deploying MOS shall immediately notify the Communication Center if the pursued vehicle impacted the TDD, if the MOS observed any signs of deflation, and the direction or operation of the pursued vehicle after the impact.
 - s. If the Rio Rancho Police Department is the primary pursuing vehicle in a pursuit involving another agency and the decision is made to deploy the TDD, the other agency should be informed of the deployment, whenever practicable.
 - t. The MOS deploying the TDD should not attempt to overtake and pass a high speed pursuit in order to position the device.
5. Roadblocks
- a. Roadblocks, because of their extreme and inherent dangers, should not be used unless there is definite knowledge that the person being pursued is wanted for a violent felony, and failure to apprehend the person would constitute an immediate and continuing serious hazard to the public.
 - b. Roadblocks shall be used only as a last resort for stopping a fleeing or wanted vehicle.
 - c. The decision to establish a roadblock shall be made only by the monitoring supervisor after considering all safety factors concerning members of the public.



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- d. Planning and coordination should occur before initiating any roadblock.
- e. All possible precautions shall be taken to ensure that the safest location for the roadblock is selected. The primary consideration in determining how and where to utilize a roadblock is the safety of the public.
- f. Communications Center personnel shall be notified of the roadblock and of its precise location.
- g. The decision to establish a roadblock should be made with consideration to the following:
 - 1) Seriousness of the crime committed by the suspect in the fleeing vehicle.
 - 2) Fleeing, violent felon who poses an imminent danger to others if not apprehended.
 - 3) Time lapse from the commission of the crime.
 - 4) Location of the proposed roadblock.
 - 5) Availability of manpower and vehicles.
 - 6) Safety of the public and the MOS.
- h. Roadblocks shall only be fixed roadblocks and the positioning and set up shall be as follows:
 - 1) The roadblock must be clearly visible at a distance sufficient to enable approaching vehicles to stop safely.
 - 2) Roadblocks shall be set up as to give the fleeing vehicle a safe distance to stop prior to the roadblock.
 - 3) Police vehicles shall have emergency lights activated when positioned for the roadblock.
 - 4) An avenue of escape shall be provided, unless the use of deadly force would be authorized.
 - 5) Pursuing police vehicles shall be warned of the roadblock and notified of its location.
- i. All MOS shall exit their police vehicles after the roadblock is set up. Upon exiting their vehicles, MOS involved in the roadblock shall locate themselves in a position of cover on the same side of the roadblock so as to not create a crossfire situation.
- j. A decision to cancel the roadblock may be made by the monitoring supervisor or higher rank if circumstances of the incident change, or if it is subsequently deemed to be too dangerous.

J. Use of Firearms – General Guidelines in Pursuits

- 1. The use of firearms to disable a pursued vehicle is generally an ineffective tactic and entails all the dangers associated with discharging firearms. Firearms shall only be used against a fleeing vehicle or its occupants, when the MOS reasonably believes the occupants of the fleeing vehicle are using deadly force against a MOS or another person, or
- 2. In a life endangering situation, the monitoring supervisor may authorize the use of firearms to terminate the pursuit, and
- 3. Sworn MOS are not required to retreat in lieu of the justifiable use of deadly physical force; nevertheless, the use of deadly physical force must be objectively reasonable in light of the circumstances an MOS faces at the time of the incident. The sworn MOS must be able to articulate the reason for their actions.

K. Inter-Jurisdictional Pursuit

- 1. Pursuits initiated by the Rio Rancho Police Department
 - a. An inter-jurisdictional pursuit begins once the authorized pursuing units leave the Rio Rancho City Limits.
 - b. When a pursuit enters another agency's jurisdiction, the primary pursuing MOS or monitoring supervisor, taking into consideration distance traveled, unfamiliarity with the area, and other pertinent facts, should determine whether or not to request the other agency to assume the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing MOS or monitoring supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether or not such jurisdiction may be requested to assist.
 - c. Before entering another jurisdiction, or as soon as practical, the Rio Rancho Police Department shall, if reasonably possible, notify the other jurisdictional agency of the following:



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- 1) A pursuit has entered, or is about to enter, their jurisdiction,
 - 2) The location and direction of travel,
 - 3) The primary offenses for which the vehicle and occupants are wanted,
 - 4) The number and description of pursuing MOS, as well as their relative location to the vehicle being pursued, and
 - 5) Whether or not assistance is needed,
- d. As appropriate, notify the jurisdictional agency that the pursuit is:
- 1) Leaving the jurisdiction
 - 2) Has been discontinued, or
 - 3) Has ceased and of the ending location.
- e. MOS originally involved shall discontinue the pursuit when advised that another agency has assumed the pursuit and assistance of the Rio Rancho Police Department is no longer needed.
- f. Upon discontinuing the pursuit, the primary pursuing MOS may proceed upon request, with or at the direction of the monitoring supervisor, to the termination point to assist in the investigation.

2. Pursuits Extending into this Jurisdiction

- a. The agency that initiates a pursuit shall be responsible for conducting the pursuit. MOS from the Rio Rancho Police Department should not join a pursuit unless specifically requested to do so by the agency whose officers are in the pursuit. The exception to this is when a single pursuing police vehicle from the initiating agency is in pursuit. Under this circumstance, a unit from this department may join the pursuit until sufficient units from the initiating agency join the pursuit.
- b. Notification of a pursuit should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be clear and specific.
- c. When a request is made for the Rio Rancho Police Department to assist or take over a pursuit from another agency that has entered this jurisdiction, the supervisor should consider these additional factors:
 - 1) Ability to maintain the pursuit,
 - 2) Circumstances serious enough to continue the pursuit, and adhere to this policy,
 - 3) Adequate staffing to continue the pursuit,
 - 4) The public's safety within this jurisdiction, and
 - 5) The safety of the pursuing MOS.
- d. As soon as practical, a supervisor shall review a request for assistance from another agency. The supervisor, after consideration of the above factors, may decline to assist in, or assume the other agency's pursuit.
- e. Assistance to a pursuing allied agency by MOS of this Department will terminate at the City limits provided that the pursuing officers have sufficient assistance from other sources. Ongoing participation from the Rio Rancho Police Department may continue only until sufficient assistance is present.
- f. In the event that a pursuit from another agency terminates within this jurisdiction, MOS shall provide appropriate assistance to officers from the allied agency including, but not limited to, scene control, coordination and completion of supplemental reports, and any other assistance requested or needed.

L. Termination of the Pursuit

1. Pursuits shall be terminated or abandoned when the risk involved exceeds the need to immediately apprehend the suspect. Under most circumstances, MOS should exercise their discretion to discontinue a pursuit when taking into consideration the following factors:
 - a. The suspect is positively identified and there is no longer a need for immediate apprehension.



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- b. The pursued vehicle's location is no longer definitely known.
 - c. Emergency equipment or radio of the sworn MOS's vehicle fails to work properly,
 - d. Traffic volume and/or road conditions dictate that it is too hazardous for the pursuit to continue,
 - e. A semi-marked patrol vehicle or police motorcycle in a pursuit is unable to obtain assistance from a marked pursuit rated vehicle,
 - f. A person is injured during the pursuit and there are no police or medical personnel able to render assistance,
 - g. If there is a clear and unreasonable danger to the MOS or the public, that exists when the pursuit requires that the vehicle be driven at excessive speeds or in any other manner which exceeds the performance capabilities of the pursuing vehicles or MOS involved in the pursuit, or,
 - h. If advised of any unanticipated condition, event or circumstance which substantially increases the risk to public safety inherent in the pursuit.
2. Pursuits may be terminated at any time in the interest of the public safety by any MOS involved in the pursuit.
3. Participation in a pursuit initiated by another agency will be terminated when the combined number of police vehicles from all jurisdictions actively involved in the pursuit exceeds three (3), unless authorized by a supervisor.
4. Upon the decision or order to terminate the pursuit, the primary and secondary MOS shall:
- a. Reduce their speed to the posted speed limit,
 - b. Turn off all emergency lighting and siren,
 - c. Turn their vehicles in another direction of travel away from where the suspect's vehicle was last seen heading, or pull to the side of the road if on a limited access roadway, and,
 - d. Inform communications that the pursuit has terminated and give his or her last location and last known direction of the suspect's vehicle.
5. An MOS's decision to terminate a pursuit for safety reasons is not subject to criticism or review, and shall not be disciplined. Discontinuing the pursuit does not mean giving up, nor is it a reflection of a MOS's courage or ability.

M. Capture of Suspects

1. When taking suspects of a pursued vehicle into custody, MOS shall consider the safety of the public as well as the involved officers.
2. When practical, a plan should be utilized to avoid crossfire situations and unnecessary risk.
3. MOS shall not rush the pursued vehicle to take the suspect(s) into custody.
4. MOS may use objectively reasonable force to gain control or compliance of a suspect, overcome resistance, protect an officer or another person from an immediate threat, prevent an escape, and to effect a lawful arrest.

N. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Supervisor Responsibilities**

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GENERAL STANDARD

Department supervisors are responsible for managing and controlling activities during pursuit. This includes weighing significant facts known at the time of the pursuit, terminating the pursuit when appropriate, directing assets and resources both during and after a pursuit, and promoting and ensuring the safety of the public and the involved officers.

STANDARDS AND PROCEDURES

- A. While monitoring a pursuit, Department supervisors are responsible for the following:
 1. Ensuring the criteria for initiating the pursuit adhere to Department policy.
 2. Ensuring that the following factors are communicated by the pursuing MOS:
 - a. The MOS's call sign,
 - b. The alleged offense or reason for the pursuit,
 - c. Present location,
 - d. Direction of travel,
 - e. Current speed of pursuit,
 - f. Description of suspect vehicle with registration, if known, and the number of occupants,
 - g. Vehicle traffic and pedestrian traffic,
 - h. Weather conditions,
 - i. Any known safety concerns regarding the police vehicle and potential or actual damage to the vehicle, and
 - j. Identity (if known) of any suspect(s).
 3. Approving or assigning additional support units, in addition to the primary and secondary units, based upon analysis of the following:
 - a. The nature of the alleged offense for which pursuit was initiated,
 - b. The number of suspects and any known propensity for violence, recklessness, or intoxication,
 - c. Any damage to the assigned primary or secondary police vehicles or injury to MOS,
 - d. The number of MOS necessary to safely make an arrest at the conclusion of the pursuit,
 - e. The overall location the pursuit is headed (rural vs. urban) and the likelihood of available assistance from other agencies, and
 - f. Any other clear and demonstrable fact(s) that would justify the increased hazards caused by adding more than the primary and secondary units to the pursuit.
 4. Directing the pursuit, including the involvement of all members associated with the pursuit, and the coordination of requests for assistance to or from other agencies.
 - a. Supervisors may initiate a pursuit, but shall relinquish their position as the primary pursuit unit once another unit is available to take over and it is safe to do so.
 - b. Supervisors also have the option of joining a pursuit as the secondary or third unit to promote the monitoring of the pursuit. If the supervisor joins the pursuit, another supervisor, if available, should become the controlling supervisor as soon as reasonably possible.
 5. Requesting aircraft support, if needed and available.
 6. Designating a primary frequency to be used in multi-agency pursuits.
 7. Terminating the pursuit when available facts do not justify its continuance or when the danger presented to the public outweighs the need to capture the suspect.



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Pursuit of Suspects/Violators Supervisor Responsibilities

- a. The monitoring supervisor shall continually weigh the existing danger to the officers and to the public to determine whether the pursuit should be terminated.
- b. Once a monitoring supervisor has determined to terminate pursuit, that supervisor shall direct involved officers to disengage from the pursuit and confirm their compliance with the order to terminate. The supervisor shall direct the involved officers to travel in a direction away from the pursued vehicle or to pull to the side of the roadway when it is safe to do so.
8. Responding immediately to where pursuit terminated to rendezvous with other involved officers, and assume responsibility for the police investigation.
9. Assuring that all command personnel are timely and sufficiently notified of relevant circumstances and the pursuit's outcome via email or telephonic notification depending on the criticality of the incident.
10. Completing a Pursuit Review to be submitted through the chain of command.
11. Assuring that an Offense Incident Report or supplemental report is completed by all involved MOS and other involved law enforcement personnel.

B. Post Pursuit Review

1. Terminated pursuits without death or serious bodily injury.
 - a. The primary pursuing MOS shall complete an Offense Incident Report on the terminated pursuit for review and approval by the MOS's supervisor. Any other MOS involved in the pursuit shall complete supplemental reports.
 - b. The original or a copy of any recording from the involved officers, including any and all BWC, shall be submitted with the Offense Incident Report.
 - c. The Offense Incident Report shall be completed by the end of the scheduled duty day, unless the monitoring supervisor grants approval to extend the report deadline.
 - d. The supervisor who monitors the pursuit is responsible for completing and submitting to the chain of command a Pursuit Review within 15 days after the incident. If the supervisor was the primary or secondary MOS in pursuit, the next supervisor in the chain of command shall complete the Pursuit Review.
 - e. The review shall examine and consider those facts upon which the MOS relied before and during pursuit, while applying legal requirements, Department policy, and approved training. Facts later discovered, but unknown to the MOS at the time are not relevant and can neither justify nor condemn an MOS's decision regarding a vehicular pursuit.
 - f. Based upon findings, the supervisor preparing the review may forward the Pursuit Review to the Chief of Police for further investigation and analysis by Professional Standards. All other recommended corrective or disciplinary action may be taken by the MOS's immediate supervisor. If there is a related use of force incident during, before, or after the pursuit, the Use of Force policy shall apply and be followed. In that case, a use of force review may commence following that procedure. Otherwise, all other administrative investigation, including a Critical Incident Review Board shall be held in abeyance until the division captain has accepted the Pursuit Review findings.
- g. All pursuit reviews shall include the following headings and information related to the incident:
 - 1) Synopsis
 - (a) A summary of the pursuit incident.
 - (b) The name of the officers involved, the route(s) taken during the pursuit, and the location where it terminated.
 - 2) Review
 - (a) A list of all reports and other documents used to review the incident.
 - (b) A list of all audio and video recordings used to review the incident.
 - (c) A list of all applicable Department Standards and Procedures used to review the incident.
 - 3) Investigation
 - (a) The name(s) of the monitoring supervisor and the supervisor preparing the review.



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- (b) A detailed narrative of the monitoring supervisor's actions during and after the pursuit.
- (c) A detailed narrative describing the collection of any evidence related to the pursuit.
- (d) A detailed narrative describing the actions of the involved officers based on the reviewed reports, interviews with the MOS, and recordings of the incident.
- (e) A detailed narrative describing any and all audio and video recordings that were not documented within the section pertaining to the actions of the involved MOS. This may include witness-generated recordings available to the Department.
- (f) A detailed narrative of any and all witness statements.
- (g) A detailed narrative that includes the duration and distance of the pursuit as determined by the monitoring supervisor or the supervisor preparing the review.
- (h) Any other facts pertinent to the investigation.

4) Findings

- (a) The facts of the investigation as determined by the review.
- (b) The reviewing supervisor shall determine whether criteria for initiating the pursuit followed Department Standards and Procedures.
- (c) The reviewing supervisor shall determine whether the involved MOS continuously weighed the existing danger to themselves and the public when deciding whether to continue or terminate the pursuit in accordance with Department Standards and Procedures.
- (d) Whether the MOS involved in the pursuit followed all other Department Standards and Procedures.

5) Disposition

- (a) A statement of disposition based on the findings.
- (b) Any action taken by the reviewing supervisor as a result of the investigation and review. If corrective or disciplinary action is taken, the reviewing supervisor shall limit visibility of that action to the employee and the employee's chain of command.

6) Recommendations

- (a) Any recommended changes to Department Standards and Procedures.
- (b) Any recommended changes to Department training.
- (c) Any additional recommendations related to the pursuit incident.

2. Pursuits that result in death or serious bodily injury.

- a. The monitoring supervisor shall notify the chain of command immediately following any pursuit resulting in death or serious bodily injury.
- b. The Traffic Section Crash Reconstruction Team shall be notified and deployed immediately to the scene to complete a reconstruction of the crash.
- c. The Traffic Section Crash Reconstruction Team undertake the investigation, however, the Chief of Police or designee may request the assistance of an outside law enforcement agency. This will be based on a recommendation from the monitoring supervisor, the incident commander, or the Traffic Section Crash Reconstruction Team.
- d. If an MOS made physical contact with a pursued vehicle presenting a use of force situation, then the Traffic Section may not investigate. A crash reconstruction report will be forwarded with the investigation to the appropriate supervisor or MOS conducting a review.
- e. Following termination of a pursuit, the primary pursuing MOS shall complete an Offense Incident Report and submit it to that MOS's supervisor for review and approval. All other MOS involved in the pursuit shall complete and submit supplemental reports.
- f. The original or a copy of any audio or video recording shall be submitted with the Offense Incident Report.



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- g. The results of any associated investigation will be forwarded to the Chief of Police for review.
- C. This procedure shall be used in conjunction with the Department rules and regulations and other relevant policies and procedures.



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Chapter: 1
Article: 3

Emergency Driving**GENERAL STANDARD**

The below principles and guidelines are intended to serve as base to make sound decisions. As a guideline for use by MOS of the Rio Rancho Police Department this policy is not intended to set civil or criminal standards or prescribe exactly which actions MOS should undertake or avoid when driving during emergencies. However, Department MOS need to be cognizant at all times that they shall be held accountable for their actions. No call is so paramount and no task is so essential that excessive speed or abandoning safe driving principles shall ever be deemed acceptable. State law does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons, nor does the law protect the MOS, the Department, or the City from the consequences due to any reckless disregard for the safety of others. (NMSA 1978 § 66-17-6)

STANDARDS AND PROCEDURES**A. Emergency Driving Procedures**

1. Emergency driving is authorized in the following situations:
 - a. In response to calls of an emergency nature,
 - b. In pursuit of an actual suspected violator of the law and within the established guidelines of this policy, or
 - c. While obtaining evidence of a speeding violation (i.e. the pace method).
 - 1) Pacing is the act of following a suspected violator's vehicle at the same speed for a given distance, maintaining a set distance between the two vehicles, to determine the suspected violator's speed. Once an MOS has a reason to stop a violator's vehicle, and it is safe to do so, the MOS shall initiate a traffic stop by activating emergency equipment.
 - 2) When it is apparent that a violator attempts to elude or flee law enforcement, whether emergency equipment is activated or not, the MOS conducting the pace shall comply with Department Standards and Procedures section regarding Pursuit of Violators.
 2. Emergency lights shall be activated whenever MOS, in the course of their duties, stop, stand or park a police vehicle contrary to the rules of the road. The MOS may elect to use only the vehicle hazard flashers when it is necessary to stop, stand or park adjacent to a curb, which is not a parking space, as long as the police vehicle does not obstruct a traffic lane.
 3. The emergency lights and siren shall be activated whenever an MOS passes through a stop sign or signal, or otherwise operates contrary to applicable traffic regulations governing, e.g., speed or direction unless there are tactical reasons for not operating the siren as further discussed in this section.
 4. MOS responding to a call which is reasonably believed to be a felony in progress, may exceed the speed limit without giving an audible signal, but shall activate the emergency lights. When not giving an audible signal the MOS must have a rational belief that knowledge of the MOS's approach may endanger one's safety or compromise a tactical response.
 5. MOS involved in any emergency driving or pursuit that passes through a signed or signaled intersection shall do so only after insuring that passage can be safely made. MOS shall engage utmost caution when approaching any intersection, assuring that any oncoming traffic has stopped or slowed sufficiently enough to allow safe passage through the intersection. MOS shall not assume that other drivers will see their police vehicle, or the vehicle being pursued.
 6. MOS shall use seatbelts whenever driving in an emergency or non-emergency situation.

B. Emergency Driving Response to Crash Scenes Reported with Injuries

1. Emergency response to reports of crashes involving injuries shall be limited to two police vehicles.
2. MOS shall coordinate their response so that the closest two units provide an emergency response. All other responding MOS shall respond in a non-emergency manner, unless the following applies:
 - a. A supervisor requests additional emergency response from MOS to a crash scene, based on the totality of circumstances given about the nature of the call, and it is apparent that more units will be needed, or
 - b. The first arriving MOS makes an assessment of the situation which calls for additional MOS to respond in an emergency manner.
- C. An MOS who initiates a pursuit is responsible and shall operate under strict compliance with this policy and §66-7-6 of the New Mexico State Statutes, which grants exemptions from certain traffic laws to operators of authorized emergency vehicles.
- D. This procedure shall be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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EMERGENCY ROADBLOCKS

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GENERAL STANDARD

Emergency roadblocks may be established for incidents involving the public safety, apprehending and searching for violent felony suspects or escapees, and apprehending a fleeing, dangerous felony suspect.

STANDARDS AND PROCEDURES

- A. Emergency roadblocks at accident, fire, rescue, or other unusual occurrence incidents shall be limited to the following purposes:
 1. To safely detour or stop vehicular or pedestrian traffic,
 2. To ensure safety to persons and property,
 3. To establish incident perimeters, or
 4. To identify and gather information from possible witnesses.
- B. Emergency roadblocks to search for a suspect involved in a violent felony, or escapees, shall only be established after being specifically authorized by a supervisor.
 1. MOS activity shall be limited to the following:
 - a. A visual search of all occupants, and all spaces in the vehicle large enough to hide a suspect(s),
 - b. Identification of occupants, inspection of vehicle documents, and recording person and vehicle information,
 - c. Apprehending and detaining vehicles or persons attempting to circumvent the roadblock.
 2. Any crime discovered during the process of the roadblock shall be managed appropriately.
 3. Presence of MOS shall be clearly visible to approaching motorists by emergency equipment, flares, or flashers.
 4. The detention shall be kept to a minimum.
 - a. A sufficient number of MOS shall be available to minimize the delay.
 - b. Termination of an emergency roadblock shall be authorized by a supervisor.
- C. Emergency roadblocks for stopping a pursued vehicle occupied by a fleeing, dangerous felony suspect shall only be used as a last resort. MOS must realize that such roadblocks may pose a threat to the safety of life and property.
 1. Authorization shall be obtained from a supervisor.
 2. Safety Conditions
 - a. Whenever possible, the use of barricades to block the path of the vehicle shall be used in lieu of Department vehicles.
 - b. The presence of MOS shall be clearly visible using patrol vehicles with emergency lights activated.
 - c. Vehicle and pedestrian traffic should be diverted away from the roadblock area whenever achievable.
 - d. The pursuing MOS shall terminate pursuit upon final approach to the roadblock.
 - e. At no time shall MOS remain inside or in close proximity to vehicles utilized in the roadblock.
 - f. An alternate route for the suspect's vehicle to avoid collision shall be present at the scene of the roadblock.
 - g. The use of lethal force shall remain consistent with the Department policy.
 - D. Emergency roadblocks shall not be used for apprehending a fleeing suspect's vehicle when the suspect is accused or believed to be involved only in a misdemeanor or non-violent felony crime.
 - E. All emergency roadblocks shall be contemporaneous to the emergency.
 - F. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

TRAFFIC UNIT

Section: 7
Chapter: 2
Article: 1

GENERAL STANDARD

MOS assigned to the Traffic Unit shall provide law enforcement, traffic crash investigation and other related services as assigned.

STANDARDS AND PROCEDURES

A. Goals and Objectives

1. The primary goal of the Traffic Unit is to reduce the number of traffic crashes.
2. The Traffic Unit works towards its goals through:
 - a. High visibility and enforcement in areas where crashes are occurring,
 - b. Strict enforcement of traffic violations in high crash areas,
 - c. Working with other MOS such as public works and traffic engineering to solve traffic related problems,
 - d. Conducting public education for traffic safety purposes, and
 - e. Making recommendations to appropriate personnel when a traffic problem has been identified.

B. Responsibilities

1. The Traffic Unit shall:
 - a. Enforce the traffic laws in the City of Rio Rancho,
 - b. Assist the patrol division when necessitated by emergency calls,
 - c. Provide traffic enforcement and crash statistical analysis, and
 - d. Provide traffic control and police escorts when required during special activities.
2. The Traffic Unit shall investigate traffic crashes and, when available, all traffic crashes involving:
 - a. Major property damage,
 - b. Department vehicles, and
 - c. Death or serious injury.

C. Qualifications of the Traffic Officer

1. MOS assigned to the Traffic Unit shall:
 - a. Have two years experience as a law enforcement officer.
 - b. Be a non-probationary MOS.
 - c. Have satisfactory personnel performance appraisals for the last two years.
 - d. Have no crashes in which the MOS received disciplinary action within the previous 12 months from the testing date.
 - e. Successful completion of a Department approved motorcycle training class, as may be required by the Traffic Unit.
 - f. Pass all testing as agreed upon in the RRPFDA contract.
2. MOS shall have the ability to successfully complete traffic reconstruction certification as may be required by the Traffic Unit.

D. This procedure is to be used in conjunction with Department Standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 7
Chapter: 2
Article: 2

POLICE ESCORTS

GENERAL STANDARD

MOS shall provide police escorts in a safe manner and only when they are necessary.

STANDARDS AND PROCEDURES

A. Escorts may be provided in the following circumstances:

1. To secure money, valuable merchandise, or equipment.
2. To assist oversized vehicles and/or loads of such dimensions or nature that may create traffic hazards provided necessary highway department permits have been obtained or received.
3. To assist with dignitary protection or personal safety.
4. When authorized by a supervisor.

B. Emergency equipment should be used for safety during escorts to provide warning to other motorists.

C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

SAFE TRAFFIC OPERATION PROGRAM

Section: 7
Chapter: 2
Article: 3

GENERAL STANDARD

Drivers that fail to stop at intersections and/or exceed posted speed limits represent a serious threat to the safety of persons and property on the streets and highways of the City of Rio Rancho. Consequently, a Safe Traffic Operation Program (S.T.O.P.) is necessary to reduce the danger presented by these traffic violations.

The S.T.O.P. consists of equipment operated by a contractor and the Rio Rancho Police Department to monitor intersections for violations of traffic control devices (red light cameras) and speed enforcement equipment to monitor the speed of vehicles on roads.

The S.T.O.P. contractor will provide video evidence of red light violations and speed violations to officers assigned to the S.T.O.P. Upon review of this evidence, officers will authorize the issuance of a notice of violation by the contractor as warranted.

The Department fully supports the S.T.O.P. and shall designate a S.T.O.P. Program Manager.

DEFINITIONS

Authorized Employee refers to the Program Manager, Reviewing Officer, or such other individual(s) as the Chief of Police shall designate to review Potential Violations and to authorize the issuance of notices in respect thereto.

Authorized Violation refers to each Potential Violation in the violation data for which authorization to issue a notice in the form of an Electronic Signature is given by the Rio Rancho Police Department after review of evidence provided by the contractor.

Confidential or Private Information refers to information, matter or thing of a secret, confidential or private nature, whether or not so labeled, which is connected with the contractor's business or methods of operation, suppliers, licensors, licensees, customers or others with whom the contractor has a business relationship, and which has current or potential value for which the unauthorized disclosure could be detrimental to the contractor.

Documents refer to all documents used to communicate with the registered owner of a vehicle that was used during the violation of the S.T.O.P. ordinance.

Electronic Signature refers to the method through which the Authorized Employee indicates his or her approval of the issuance of a Notice of Violation.

Enforcement Documentation refers to the necessary and appropriate documentation related to the violation of the S.T.O.P. ordinance.

Equipment refers to all approach cameras, sensors, equipment components, products, software, vehicles, computers and other tangible and intangible property relating to the Contractor.

Nomination / Transfer of Liability *Servicing* refers to the processing of and reissuing of a citation, i.e., registered owner was not driving and opts to have citation sent to driver who was driving; vehicle was stolen, sold previous to violation, etc.

Notice of Violation refers to the citation, which is mailed or otherwise delivered by the contractor to the violator on the appropriate Enforcement Documentation in respect to each Authorized Violation.

Potential Violation refers to any data (evidence) collected by the contractor to be reviewed by an Authorized Employee and rejected or approved as a Notice of Violation.

Program Manager refers to the program manager appointed by the Chief of Police in accordance with the agreement between the City of Rio Rancho and the Contractor. The Program manager shall be an Authorized Employee and shall be responsible for overseeing the S.T.O.P.

Violation Line refers to the point after which a violation of the S.T.O.P. ordinance has been committed. The violation line is the cross walk or stop bar at an intersection.

STANDARDS AND PROCEDURES

A. S.T.O.P. Personnel

1. Personnel assigned to the S.T.O.P. shall be commissioned law enforcement officers of the Rio Rancho Police Department.
2. Personnel assigned to the S.T.O.P. shall be trained on the equipment and processes of the program.
3. Personnel assigned to the S.T.O.P. shall not divulge any Confidential or Private Information.
4. A Program Manager shall be appointed by the Chief of Police to manage the S.T.O.P. The Program Manager shall be responsible for the effective and efficient administration of the S.T.O.P.
5. The Program Manager will recommend to the Chief of Police locations for fixed S.T.O.P. equipment. The Program Manager will organize the deployment of mobile speed enforcement equipment. The following criteria will be used to determine locations for fixed and mobile equipment



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SAFE TRAFFIC OPERATION PROGRAM

location of collisions, traffic density, traffic collision contributing factors, and requests from the public.

B. Enforcement

1. Each potential violation submitted by the contractor shall be reviewed by a police officer assigned to the S.T.O.P. Upon approval of the potential violation by the reviewing officer, the online application will attach the electronic signature and a Notice of Violation will be issued.
 2. Speed violations will be authorized when a vehicle exceeds the speed limit by established criteria for the specific road. Red light violations will be authorized when a vehicle passes the stop bar for a red light by "a car length".
 3. Following are examples of authorized exceptions: Safe turn on red, funeral procession, unclear images, incorrect plate, incorrect details, MVD mismatch, responding emergency vehicle, controlled intersection, reviewing officer discretion (officer discretion is strongly discouraged and must be justified), weather and equipment malfunction. The Program Manager may issue a warning letter later upon request and review of the violation.
 4. Emergency vehicles that are operating in emergency mode as defined by NMSA 66-7-66 and Rio Rancho Municipal Ordinance 12-3-4 will not be subjected to action from the S.T.O.P. However, administrative action may be taken due to evidence provided by the S.T.O.P.
- C. Notices of Violation involving Department vehicles that are not operating in emergency mode shall be forwarded to the manager of the MOS for review. If the MOS is found to be in violation of Department Policy the following action shall be administered:
- a. 1st violation- Assume legal responsibility and follow civil remedies.
 - b. 2nd violation- Assume legal responsibility, follow civil remedies and a documented oral counseling.
 - c. 3rd violation- Assume legal responsibility, follow civil remedies and a written warning.
 - d. 4th violation- Assume legal responsibility, follow civil remedies and a written reprimand.
 - e. 5th violation- Assume legal responsibility, follow civil remedies and administrative sanctions.
2. Egregious violations may result in more severe disciplinary or administrative action than outlined above. The manager of the MOS shall provide the Office of Professional Standards with documentation of any action taken. The Office of Professional Standards shall record all violations in a database. Actions will be removed from the database after a 24 month period from the date of violation and those actions will no longer be considered if future violations occur.
 3. Violations involving emergency vehicles belonging to another agency or department that are not operated in emergency mode shall be forwarded to the agency or department for appropriate action. The notice may be dismissed upon receipt of evidence that the vehicle was involved in public safety emergency response.
 4. Video evidence of traffic collisions may be retained by any member of the S.T.O.P. and transferred to DVD for criminal prosecution upon request of an investigating officer.

D. Adjudication

1. The registered owner/recipient of a Notice of Violation may pay the fine, request a hearing or may nominate the driver of the vehicle at the time of violation. Only one nomination is permitted.
2. Hearings will be held in accordance with, statute, ordinance and established procedures of due process and evidence.
3. If found responsible, the S.T.O.P. will update the status to Found Responsible via the contractor's online application. If found not responsible, the S.T.O.P. will update the status to "Found Not Responsible" in the contractors tracking system online application.
4. Failure to appear at the hearing will result in being "Found Responsible". The S.T.O.P. will update the status in the contractor's online application.
5. The recipient of a Notice of Violation may only make one nomination per notice.
6. If the registered owner/recipient of a Notice of Violation fails to take action, default will result and appropriate action will be taken.

- E. This procedure is to be used in conjunction with ordinances, statutes, Department standards, orders, values and other relevant policies and procedures



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Chapter: 2
Article: 4

SELECTIVE TRAFFIC ENFORCEMENT PROGRAMS

GENERAL STANDARD

Selective Traffic Enforcement Programs (STEP) shall be based on traffic crash analysis or public requests. STEP shall be conducted to enforce specific traffic laws in an effort to reduce crashes.

STANDARDS AND PROCEDURES

A. A traffic supervisor may assign STEP activities to MOS based on the following:

1. Location of crashes,
2. Day and time of crashes,
3. Traffic density,
4. Traffic crash contributing factors, or
5. Requests from the public.

B. STEP activities shall be evaluated, and an evaluation report shall be forwarded to the Chief of Police. The report shall include the following information:

1. A summary of all enforcement action,
2. A summary of all traffic crashes in the affected area, and
3. The effectiveness of the STEP.

C. Planned Patrol Activity (PPA) may be initiated by a traffic supervisor and shall conform to the following:

1. The PPA shall be based on specific traffic problems that have been previously identified; and
2. At the conclusion of a PPA, the traffic supervisor shall submit a report to the Chief of Police, which includes:

- a. The effectiveness of the enforcement activity in terms of meeting goals,
- b. Problems that were encountered,
- c. MOS hours expended,
- d. Number of physical arrests,
- e. Number of citations, and
- f. Summary of PPA effectiveness.

3. The termination of a PPA shall be the responsibility of a traffic supervisor in charge. Termination may result when:

- a. New problems arise, which are of higher priority.
- b. The problem has ceased, or
- c. The affect of the PPA on the problem does not warrant the hours expended.

D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

TRAFFIC ENGINEERING

Section: 7
Chapter: 2
Article: 5

GENERAL STANDARD

Close coordination and cooperation between the Department and appropriate traffic engineers is essential to the maintenance and improvement of a safe and efficient traffic system.

Although traffic engineering is not directly a law enforcement function, public safety agencies have a unique opportunity and responsibility to contribute to traffic engineering. The compilation and analysis of traffic law enforcement and traffic crash management data, as well as information obtained in providing basic traffic services to the public, provides an excellent base for identifying traffic engineering problems. Traffic engineering improvements often reduce the number of traffic crashes and traffic law violations.

STANDARDS AND PROCEDURES

- A. Fully recognizing its responsibility to contribute to improving traffic engineering in the community, the Department shall work in concert with other authorities to:
 1. Collect and compile traffic-related data relevant to identifying specific engineering problems and solutions.
 2. Conduct special traffic surveys and studies to investigate potential problems.
 3. Analyze crash and enforcement data to discover trends and relationships symptomatic of engineering problems.
 4. Prepare special reports, and make recommendations concerning efficient use of traffic control devices, new or revised laws or ordinances, or other engineering solutions/improvements.
 5. Participate actively in the City's transportation system management planning.
- B. The Department shall utilize the Federal Highway Administration's document entitled Manual on Uniform Traffic Control Devices for Streets and Highways as a guide for its activities relating to traffic engineering.
- C. Compilation Analysis and Sharing of Traffic Engineering Information
 1. The Department will record, investigate and follow-up on citizens' notifications of actual or potential traffic engineering problems and possible improvements. Department MOS who have received basic traffic engineering familiarization training shall be assigned these concerns and should:
 - a. Verify the citizen's information concerning the actual or potential condition reported.
 - b. Evaluate the citizen's suggestions for possible improvement, to the extent possible, with respect to utility and feasibility.
 - c. Initiate appropriate remedial action, when applicable and possible.
 - d. Refer the citizen's information to other appropriate authorities, when necessary.
 2. In keeping with the Department's general complaint-handling process, the citizen should be notified of the actions taken.
 3. The Department shall collect and analyze engineering-relevant data as part of its regular studies of traffic crash locations in the following manner:
 - a. Prepare and maintain crash/collision diagrams and condition diagrams to provide a base for traffic engineering decisions or recommendations.
 - b. Analyze high-incident crash locations in support of programs such as selective traffic enforcement.
 4. When evidence of a deficiency is found, the Department shall undertake, or recommend to other proper authorities, sight-distance and other appropriate engineering studies of the affected locations.
 5. When requested, the Department shall forward summaries of its crash and enforcement data to relevant traffic engineering authorities.
 - a. The summaries shall highlight potential engineering problems emerging from the crash and violation records, as well as evidence of the impact of engineering modifications that were implemented in response to previously identified problems.
 - b. The Department shall provide the traffic engineering authorities with copies of any special engineering studies or individual crash reports displaying particular engineering problems.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Article: 6

TRAFFIC CRASH INVESTIGATION

GENERAL STANDARD

The Department shall investigate all traffic crashes and complete the Uniform Crash Report Form as required by law.

STANDARDS AND PROCEDURES

A. Sworn MOS at traffic crash scenes shall:

1. Protect motorists and pedestrians by establishing a safe route around the scene.
2. Provide appropriate medical care.
3. Request additional resources when needed.
4. Preserve and document evidence.
5. Locate and interview witnesses and drivers.
6. Obtain appropriate information and conduct an adequate investigation.
7. Ensure removal of vehicles and debris from roadway.
 - a. Measurements for a diagram should be made or marked before the vehicle is removed.
 - b. Vehicles shall be moved from the roadway as soon as practical to facilitate smooth traffic flow.

B. Hit and Run Traffic Crashes

1. Sworn MOS shall search the scene thoroughly for any physical evidence and broadcast known suspect's vehicle and occupant's description as soon as possible.
2. The originally assigned MOS shall be responsible for follow-up investigation when required.

C. When traffic crashes involving Department vehicles occur, the sworn MOS shall:

1. Notify the shift supervisor of the crash,
2. Ensure that photographs of the traffic crash scene are taken, and
3. Not document the home phone number or address of the City employee involved on the crash form.

D. The investigating MOS shall be responsible for all follow-up investigations; however, a commanding MOS may forward the investigation to the Traffic Unit.

E. Property of Crash Victims

1. MOS shall be responsible to inventory items in the vehicle when it is towed.
2. Cash, jewelry or other expensive items shall be held in evidence for safekeeping.
3. During fatal crashes, property that is on the victim becomes the responsibility of the medical investigator.

F. Fatal and Serious Injury Crash Investigation

1. The shift supervisor and the Traffic Unit supervisor shall be notified.
2. The Traffic Unit MOS, preferably a traffic crash re-constructionist, shall be assigned as the "lead investigator" in the investigation.
3. In addition to routine traffic crash investigation, the investigating MOS shall:
 - a. Photograph the scene.
 - b. Take measurements in order to prepare a diagram of the scene.



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- c. Request a breath or blood alcohol test from the drivers, when appropriate.
 - d. In the event of a fatality, notify the State Police via teletype.
 - e. In the event of a fatality, request that the medical examiner respond to the scene for:
 - 1) Making a determination of death,
 - 2) Authorizing a search of the body, and
 - 3) Authorizing removal of the body.
- G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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UTILIZATION OF CRASH RECONSTRUCTIONIST**GENERAL STANDARD**

In order to conduct accurate traffic crash investigation, the Department shall maintain a staff of MOS specially trained as a traffic crash reconstructionist. Traffic crashes should be reconstructed when the investigation requires skill beyond that of normal patrol MOS.

STANDARDS AND PROCEDURES

- A. Requests for a traffic crash reconstructionist should be made through a supervisor.
- B. Traffic crash reconstructionists should investigate the following:
 1. Fatal or serious injury traffic crashes.
 2. Traffic crashes involving Department vehicle(s) that require a New Mexico Uniform Crash Report Form.
 3. Traffic crashes in which a government agency is involved and may be subjected to civil litigation.
 4. Other traffic crashes including, but not limited to:
 - a. Major property damage over \$10,000.
 - b. The likelihood of felony charges being filed.
 - c. "Special problems" such as tractor trailer, multiple vehicle, pedestrians, falls, vaults, etc.
 - d. Crashes beyond the skill of patrol MOS.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

RADAR ASSIGNMENTS

Section: 7
Chapter: 2
Article: 8

GENERAL STANDARD

MOS may be issued RADAR units as assigned by a supervisor to facilitate speed measurement enforcement.

STANDARDS AND PROCEDURES

- A. Each patrol shift should be assigned a minimum of one RADAR unit for speed measurement enforcement.
- B. The shift supervisor shall be responsible for each assigned RADAR unit, tuning fork(s), and service requests.
- C. The traffic supervisor shall submit an appropriate report to the Traffic Safety Bureau or other department when:
 1. A Specific radar unit is on loan from the Traffic Safety Bureau.
 2. Reports are specified as part of grant requirement.
- D. MOS assigned a RADAR unit shall:
 1. Be responsible for the RADAR unit, tuning fork(s) and mounting unit.
 2. Immediately notify the shift supervisor when the RADAR unit, tuning fork(s) or mounting unit is lost, damaged, stolen or needs repair.
- E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Chapter: 2
Article: 9

TRAFFIC ENFORCEMENT PROCEDURES**GENERAL STANDARD**

MOS shall enforce the traffic laws of the State of New Mexico and City of Rio Rancho in an effective, fair and courteous manner. Enforcement actions should be based on the applicable statutes and ordinances, and commensurate with the degree and severity of the violation committed.

STANDARDS AND PROCEDURES

A. All sworn MOS shall take appropriate enforcement action for traffic violations they witness, or determine as a result of a traffic crash investigation.

1. All enforcement actions shall be accomplished using one of the following methods:
 - a. Physical arrest,
 - b. Uniform traffic citation, or
 - c. Verbal warning.
2. The MOS's actions shall demonstrate a professional attitude and facilitate a positive relationship with the public.
3. Although discretionary, the type of enforcement taken shall be that which the MOS believes is commensurate with the circumstances of the violation and which is most likely to ensure future compliance by the violator.

B. Physical Arrests

1. MOS may arrest without warrant for only those traffic violations as prescribed by the Rio Rancho Municipal Traffic Code.
2. Arrested persons shall be processed in accordance with Department booking procedures and, when not taken immediately to the court, scheduled to appear at the next arraignment date.
3. An arrest report, uniform traffic citation(s), criminal complaint(s), and statements of probable cause (when probable cause is not established in the complaint) shall be completed for all arrestable offenses.
4. Additional non-arrestable offenses require only a uniform traffic citation.
5. The decision to make a physical arrest should be based upon sound legal principles and not peripheral issues such as the violator's "attitude."
6. A traffic violator found to have an outstanding warrant shall be arrested on the warrant and allowed to sign the traffic citation if the violation is not an arrestable offense.

C. Uniform Traffic Citations

1. MOS shall not issue traffic citations unless they are on-duty, in uniform displaying their badge of office.
2. The issuance of a traffic citation is applicable in the majority of cases where the violator has jeopardized the safe and efficient flow of vehicular and pedestrian traffic.
3. MOS issuing a notice to appear, penalty assessment, or warning citation shall:
 - a. Complete the violator/violation information and the "Essential Facts" sections. Do not enter "See Report" in lieu of the essential facts.
 - b. Complete the enforcement section indicating the type of citation and explain to the violator that a signature constitutes either a promise to appear at the time and place specified, an admission of guilt and agreement to remit the fine, or an acknowledgement of a warning that a violation has occurred.
 - c. Indicate the arraignment or trial date and time.
 - d. Have the violator sign the appropriate acknowledgment.
 - e. Give the violator the "Defendant's Copy."
 - f. Upon completion, release the violator.
4. A violator who refuses to sign a citation shall be informed that a refusal shall result in arrest, and the violator shall be afforded another opportunity to sign.
5. When a violator still refuses to sign a citation, and is subsequently arrested, the signature block on the citation shall be marked "booked."



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- a. If, after being arrested, and before leaving the scene of the stop, the violator then agrees to sign the citation, the violator may be allowed to sign the citation and then released. The incident shall be documented on a Department Offense/Incident Report form.
- b. If, after being arrested, and after leaving the scene of the stop, the violator then agrees to sign the citation, the violator shall still be booked and taken directly before the court for arraignment when possible. When the court is not open and there are no additional charges on the violator, the violator may be released on his/her own recognizance after signing the citation.
- c. If the violator does not sign the citation at any point during the booking process, the violator shall be taken directly before the court for arraignment, when possible. If the court is not open, the violator shall be incarcerated or released on bond.
- d. Amendment of citations may be accomplished during Municipal Court or by a written request to the Municipal Judge documenting the:
 - 1) Citation number,
 - 2) Defendant's name,
 - 3) Reason for the amendment request, and
 - 4) Officer's name and signature.

D. Traffic Offenses Involving Juveniles

1. The following traffic offenses by juveniles have been deemed delinquent acts and shall be referred to the Juvenile Probation Office.
 - a. Driving while under the influence of intoxicating liquor or drugs.
 - b. Failure to stop in the event of a crash causing death, personal injury or damage to property.
 - c. Unlawful taking of a vehicle.
 - d. Homicide by vehicle.
 - e. Injuring or tampering with a vehicle.
 - f. Receiving or transferring a stolen vehicle.
 - g. Altering or changing of an engine number or other vehicle identification number.
 - h. Altering or forging of a driver's license or permit or any making of fictitious license or permit.
 - i. Open container or possession of alcohol in a motor vehicle.
 - j. Any criminal offense punishable as a felony.
2. Juveniles cited for traffic offenses other than those listed above shall be cited into Municipal Court.
 - a. When a juvenile refuses to sign a citation the MOS shall place the juvenile under arrest and, when possible, transport to the appropriate court.
 - b. When court is not open, the juvenile shall be released to a parent or guardian, or the JPO may be contacted for further direction.
3. When the juvenile is cited for multiple violations and one or more violations are delinquent acts requiring referral to JPO, then all charges shall be referred to the JPO.

E. Violations Resulting from a Traffic Crash Investigation

1. When probable cause has been established, based upon evidence and information received in connection with a traffic crash investigation, MOS may issue citations for relevant violations.
 - a. MOS assigned to investigate traffic crashes shall conduct thorough investigations and submit complete reports.
 - b. If sufficient evidence exists to identify contributing causes of crashes, those facts and opinions shall be properly reported.
2. Enforcement action for failure to have proof of financial responsibility (New Mexico plates only) for drivers involved in crashes shall consist of:
 - a. Issuing a citation to the driver and a completed temporary operation sticker, valid for 30 days.



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- b. Removing the license plate from the vehicle, or if not removable, permanently defacing the plate and affixing the sticker to the license holder/bumper.
- c. Advising the driver that he/she must obtain proof of financial responsibility and present it to MVD within 30 days for issuance of a new license plate and that use of the temporary operation sticker does not relieve the driver of the responsibility for having proof of financial responsibility.
- d. Forwarding to MVD the license plate and the appropriate portion of the temporary operation sticker.

F. Transient Drivers

1. No distinction shall be made between transient and resident drivers for enforcement purposes where residency is not an element of the offense.
2. When possible, a penalty assessment citation should be issued to avoid unnecessary delay of the transient driver.

G. Postal Service Vehicle Violations

1. MOS may detain vehicles transporting U.S. Mail for a period of time sufficient to complete enforcement actions.
2. When a violation requires the arrest of the postal service employee, the shift supervisor and the supervisor of the postal service shall be contacted.
3. An MOS shall remain with the postal service vehicle until it is released to another postal service employee.
4. When the vehicle must be held for evidence purposes, any mail must first be released to a postal service employee.
5. A copy of the arrest report shall be forwarded to the Chief of Police's office.

H. Armored Vehicle Violations

1. For security purposes, a driver of an armored vehicle might not exit the vehicle or engage in open conversation with the MOS. Drivers generally will present their license by either holding it up to the glass or passing it out the gun port to the MOS.
2. The driver of an armored vehicle shall only be arrested when charged with a felony, or other arrestable offense as outlined in this procedure.
 - a. The shift supervisor and the supervisor of the armored vehicle company shall be contacted.
 - b. Pending the arrival of the armored vehicle supervisor or representative, an MOS shall remain with the armored vehicle for security purposes.
3. When a citation is to be issued, the MOS shall obtain the needed information from the driver's license.
 - a. The MOS shall write "armored vehicle" in the signature blank for court appearance and give the defendant's copy to the driver.
 - b. If the driver fails to appear on or before the specified court date, the armored vehicle company shall be notified and a summons issued to the driver through the Municipal Court.

I. Active Military Personnel Arrests

1. Whenever active military personnel are arrested, the arresting MOS shall attempt to notify the individual's commanding officer of the arrest and location where the individual is incarcerated.
2. When possible, government vehicles shall be released to an appropriate official in lieu of impoundment.

J. Enforcement on Private Property

1. Issuing citations for violations occurring on private property not open to public access is limited to driving while intoxicated, reckless driving, and leaving the scene of a crash. MOs shall cite the offender into Magistrate Court.
2. On private property open to public access, e.g., commercial or business parking lots, citations may be issued for fire lane or handicapped parking violations.

K. Off-Road Vehicle Violations

1. Crashes involving off-road vehicles resulting in injury or death to any person, or damage to public or private property require the completion of a crash report.
2. MOS should take appropriate enforcement action upon observing violations of Rio Rancho Municipal Traffic Ordinances pertaining to off-road



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vehicles.

L. Pedestrian/Bicycle Violations

1. MOS should concentrate their efforts on pedestrian violations in those areas where pedestrian crashes have been frequent or severe.
2. MOS should be observant for violations by bicycle operators that endanger the operator or others, or which impede the smooth flow of vehicular traffic.
3. When dealing with youthful violators, MOS should consider constructive and instructive feedback as an alternative to standard enforcement practices, because the youthful offender may not be fully aware of their responsibility and the potential dangers.

M. Parking Violations

1. During peak traffic hours, MOS shall be especially alert for illegal parking violations, which disrupt the normal flow of traffic.
2. A continuous emphasis should be placed on enforcing violations of parking in handicapped spaces and fire zones.
3. When the driver of the vehicle cannot be readily located, the citation shall be issued in the name of the registered owner of the vehicle and the defendant's copy left in a conspicuous location on the vehicle.

N. Traffic Citation Books

1. MOS obtaining a traffic citation book shall log their name on the citation book log sheet with the corresponding citation numbers.
2. The citation book should be checked for proper contents of 25 sequentially numbered citations before signing the log.
3. All traffic citations issued to an MOS must be accounted for and shall not be discarded by an MOS.
4. When a mistake is made and cannot be corrected, the MOS shall sign the citation and write "VOID" in large letters across the citation.
5. Copies of issued citations and voided citations shall be turned in to the shift supervisor and will be forwarded to the records division.
6. If one of the copies is unavailable, a memo from the MOS's supervisor explaining the circumstances of the voided citation shall be attached to the remaining copies.

O. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES**NON-TRAFFIC CITATIONS**

Section: 7
Chapter: 2
Article: 10

GENERAL STANDARD

Non-traffic citations may be issued in lieu of physical arrest or incarceration for petty misdemeanor violations of State Statute or City Ordinance, except for State Statutes Chapter 66 and Municipal Ordinances Chapter 12, as enumerated in State Statute 31-1-6.

STANDARDS AND PROCEDURES

- A. Sworn MOS who arrest a person without a warrant for a petty misdemeanor may offer the person arrested the option of accepting a citation to appear in lieu of incarceration. However,
 1. Non-traffic citations shall not be issued unless positive identification of the suspect is made, and
 2. Non-traffic citations shall not be issued in lieu of physical arrest or incarceration in domestic violence assaults or batteries.
- B. When a non-traffic citation is issued:
 1. The non-traffic citation shall give a minimum three-business day notice to appear in the appropriate court,
 2. A copy of the non-traffic citation shall be given to the defendant,
 3. The defendant, upon promissory signature to appear in court, shall be released from custody, and
 4. MOS shall inform the defendant of the consequences of not signing the citation and failing to appear.
- C. The non-traffic citation may be issued as a written warning. MOS shall boldly write the word "Warning" over the court appearance date.
- D. The non-traffic citation is a complaint, although not verified.
- E. When investigating shoplifting incidents, the officer may issue a non-traffic citation even though the crime occurred outside his presence.
- F. An Offense/Incident Report shall be written when required by relevant policy and procedure.
- G. A Municipal Court Report form shall be completed and attached to the court copies of all municipal non-traffic citations when there are additional witnesses.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

SUSPENDED LICENSE

Section: 7
Chapter: 2
Article: 11

GENERAL STANDARD

Suspended license violators shall only be physically arrested in accordance with City ordinances, Department policy or Municipal Court policy.

STANDARDS AND PROCEDURES

- A. When a traffic violator is stopped and found to have a suspended driver's license, enforcement action shall be based on the following:
 1. Out of state licensed drivers shall be issued a citation for violation of municipal ordinance - "Unlawful Use of License."
 - a. No physical arrest shall be affected.
 - b. If the driver displays a valid New Mexico license and has a revoked/suspended out-of-state license, no action shall be taken.
 2. New Mexico licensed drivers shall be physically arrested when the Motor Vehicle Division (MVD) records indicate "Arrest within New Mexico" pursuant to NMSA 66-8-122G for violation of DWI law.
 3. MOS shall not make a physical arrest based upon any amount of Failure to Appear or Failure to Pay Fines revealed on a driver's license inquiry, unless an active warrant is confirmed for his or her arrest.
 4. When a suspended driver's license has been verified, Officers shall issue a traffic citation for 12-6-12.6 'Unlawful Use of License', or applicable state statute. When a citation is issued, the citing Officer shall request the following information from the New Mexico Motor Vehicle Division:
 - a. Computer Printout of Driving Record
 - b. Abstract of Convictions
 - c. Notice of Revocation
 - d. Certified Mail Receipt Card
- B. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

MOTOR VEHICLE STOPS

Section: 7
Chapter: 2
Article: 12

GENERAL STANDARD

MOS shall take reasonable precautions during motor vehicle stops to ensure safety while conducting themselves professionally and courteously.

STANDARDS AND PROCEDURES

A. Stop and Approach

1. MOS shall perform motor vehicle stops only when there is reasonable suspicion that an offense has been or is being committed, or the nature of the stop is in the best interest of the motorist.
2. MOS shall signal motorists to stop primarily with emergency lighting and siren. Other methods such as hand signals and horn may also be utilized.
3. MOS should attempt motor vehicle stops at a safe location. Factors to consider are: ample space, appropriate lighting, and avoiding stops on hills, curves, intersections, private drives, and business locations which have limited parking.
4. Motorists should be directed to the right side of the roadway, close to the curb or on the shoulder.
5. On multi-lane roadways, MOS should gradually change from lane to lane with the motorist until the right side of the roadway is reached.
6. If a motorist stops abruptly in the wrong lane or in another undesirable location, the MOS should:
 - a. Use the public address (PA) system to instruct the motorist to move to a safer location, or
 - b. If the patrol vehicle is not equipped with a PA system and gestures are insufficient, the MOS should quickly exit from the patrol vehicle and give verbal instructions to the motorist.
7. Once the motorist has stopped in an appropriate location, the MOS should position the police vehicle approximately one car length behind the motorist's vehicle. The police vehicle should be positioned at a slight angle so the left front is offset approximately two feet to the left of the violator's vehicle.
8. MOS shall notify Communications of the approximate location of the traffic stop and the license plate number and, whenever possible, relay the information before the vehicle stops. If the MOS believes the traffic stop may be of an unusual risk, the MOS should provide Communications with additional information such as the vehicle's description, make, model, color, and number of occupants.
9. MOS shall approach from the left rear of the violator's vehicle while observing the trunk and rear seat area. MOS shall stop at a point to the rear of the left front door. A right-hand side approach may be appropriate if passing traffic is too close and constitutes a danger.
10. When a motorist has been stopped and is suspected to be under the influence to the extent that their driving ability is impaired, the violator shall not be permitted to move their vehicle.

B. Traffic Violator Relations

1. When dealing with motorists, MOS shall:
 - a. Be alert for the unexpected but do not be obviously apprehensive.
 - b. Be certain that the observations of the traffic violation were accurate.
 - c. Be prepared for the contact by having the necessary equipment and forms immediately available.
 - d. Base the appropriate enforcement action upon the violator's driving behavior, not attitude, before the initial contact.
 - e. Be professional and courteous.
 - f. Greet the violator.
 - g. Inform the violator what traffic law he has violated and the intended enforcement action.
 - h. Request the motorist's driver license or other form of identification, vehicle registration and proof of insurance.
 - i. Allow the driver to reasonably discuss the violation (do not belittle or otherwise verbally abuse the violator).
 - j. Explain to the violator exactly what he is supposed to do in response to the action taken.
- 1) If the enforcement action requires a court appearance, make sure the violator knows when and where to appear.



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- 2) Explain any alternatives to the violator, but do not predict the actions of the court.
 - k. Be alert to any emotional stress exhibited by the driver, and if stress is present, instructions may have to be repeated or the violator may need to calm down before resuming driving.
 - I. Return the violator's documents and a copy of the citation.
 2. After issuing citation(s), MOS should not intentionally follow the violator.
 3. Any offer of money or other item of value from the motorist to the MOS should be quickly refused; any persistence in offering should be treated as attempted bribery.
- C. Stopping a Known or Suspected Wanted Felon
1. When a vehicle driven by a known or suspected wanted felon is observed, the MOS shall notify Communications. MOS shall inform Communications of the location, a thorough description of the vehicle and a description of the occupants.
 2. MOS shall keep the suspect vehicle in view and request appropriate assistance in making the stop. MOS shall keep support units informed of the location and direction of travel.
 3. The suspect vehicle should only be stopped when adequate support is available and in position. The following procedures shall be used in effecting the stop.
 - a. MOS should plan to stop the suspect vehicle in a location, which presents minimal danger to other citizens.
 - b. When conditions are appropriate and support units available, the MOS shall move into position to the rear of the suspect vehicle.
 - c. MOS shall park the police vehicle so that it provides maximum protection.
 - d. If the motorist is known to be armed and dangerous, MOS shall have the weapon drawn and ready for immediate use.
 - e. MOS shall position themselves in a location affording cover and concealment while avoiding a cross-fire situation.
 - f. MOS shall direct each occupant, by voice or PA system, to exit from the vehicle individually and assume an appropriate search position.
 - 1) If terrain or space does not permit the prone position, the occupants should be ordered into a kneeling position with their legs crossed and their hands behind their heads, fingers interlaced.
 - 2) The subjects shall be handcuffed and then searched thoroughly.
 - g. Approaching the suspect vehicle should be used as a last resort measure if compliance is not achieved.
 - h. The support MOS will observe the MOS conducting the search from a position of concealment and will respond accordingly if a threat is observed.
 - i. The support MOS should not give additional commands as this could confuse the suspects.
- D. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 7
Chapter: 2
Article: 13

TRAFFIC DIRECTION AND CONTROL**GENERAL STANDARD**

MOS, in order to facilitate the safe and expeditious flow of traffic through the City, shall initiate traffic direction and control when encountering uncontrolled intersections and roadways due to malfunctioning equipment or when conditions create an unsafe traffic situation.

STANDARDS AND PROCEDURES**A. Traffic Direction**

1. To stop traffic by hand signals, MOS should stand with shoulders parallel to moving traffic. Extend one arm and hand toward traffic to be stopped with palm toward moving traffic and fingers together.
2. To move traffic by hand signals, MOS should stand with shoulders parallel to traffic to be moved. Extend arm and hand full length at height of shoulders towards traffic to be moved, fingers extended and joined, palm down. Bring hand sharply in the direction the traffic is to move. Repeat movement to keep traffic moving.
3. To stop and start traffic by whistle, MOS should give a one whistle blast to direct moving traffic to stop, and a two whistle blasts to direct traffic to move. The whistle should be used in conjunction with hand signals and the MOS should be looking at the driver of the lead car at the time the whistle is blown.
4. A high visibility vest shall be used by MOS when directing traffic. During times of darkness, a vest with reflective marking should be worn.

B. Automated Traffic Control Signals

1. When traffic lights malfunction or are inoperable, MOS should advise Communications to notify either the State Highway Department, City Engineering, or the power company (PNM); whichever is appropriate.
2. MOS should obtain a control box key from Communications to access the control box and place the lights in a flashing mode.
3. MOS shall manually direct traffic at the intersection when deemed necessary.

C. Temporary Traffic Control Devices

1. Temporary traffic control devices may be utilized during special events, when road hazards exist, or in the event of crashes. The following may be used as temporary traffic control devices:
 - a. Wooden or similar barricades,
 - b. Detour signs and other descriptive signs,
 - c. Traffic cones or flares, and/or
 - d. Department vehicles.
2. When utilizing a Department vehicle for traffic control purposes, sufficient emergency lighting shall be in operation to make the vehicle clearly visible, but lights shall not be directed in a manner that would blind oncoming drivers.

D. Special Events Traffic Control

1. In order to eliminate confusion, increase safety, move traffic in an orderly manner, and reduce decision-making processes for motorists and pedestrians, the assigned supervisor shall address the following areas and circumstances during special events when applicable:
 - a. Emergency vehicle access.
 - b. Ingress and egress of pedestrians.
 - c. Parking (handicapped).
 - d. Crowd and spectator control and movement.
 - e. Relief of MOS assigned to traffic control.
 - f. Public transportation.
 - g. Alternative routes for through traffic.



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TRAFFIC DIRECTION AND CONTROL

- h. Temporary traffic control such as detours or parking restrictions.
 - i. Postal service and delivery vehicles.
2. The Department PIO shall be informed of proposed detours or other roadway changes so that the information can be properly disseminated.
- E. Traffic Control During Adverse Weather/Road Conditions.
1. MOS should regulate and detour traffic during extreme situations such as severe weather storms, flooding, fire, slick roads, smoke, downed power lines or any other potential hazard.
 - a. During such situations, the supervisor on-duty shall determine the extent of the emergency and consider activating the ICS through the proper chain of command.
 - b. The supervisor shall take reasonable measures to ensure roadways are closed or traffic is detoured for the general safety of citizens.
 2. The Department PIO should be contacted for media releases about the status of the emergency and roadway conditions.
- F. Non-Sworn Personnel Controlling Traffic
1. Traffic control may be performed by non-sworn personnel in the following situations:
 - a. During an emergency when sufficient sworn MOS are not available.
 - b. At any location when directed to do so by a supervisor.
 2. Non-sworn personnel should wear a high visibility vest when directing traffic.
- G. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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MOTORIST SERVICES

Section: 7
Chapter: 2
Article: 14

GENERAL STANDARD

MOS shall provide reasonable assistance to motorists who appear to be in need of aid or who request assistance, whenever MOS are in a marked Department vehicle.

STANDARDS AND PROCEDURES

A. Stranded Motorists

1. MOS encountering a stranded motorist shall:
 - a. Advise Communications of the location and vehicle description, including the license number.
 - b. Identify the problem or type of service requested, and provide reasonable assistance.
 - c. Not attempt to make repairs to a motorist's vehicle unless of a minor nature such as a tire change.
 - d. Only jump-start a vehicle when the Department vehicle mobile radio is off.
 - e. Assist the motorist in moving the vehicle from the roadway when a hazard exists.
 - f. Use reasonable care to avoid damage to vehicle(s) or personal injury.
2. When requested by a motorist, MOS shall direct Communications to contact a towing service or individual named by a motorist to assist in removing the vehicle. When no preference for towing service is specified, Communications shall utilize the tow service rotation list.
3. Requests for Transportation

- a. MOS shall assist motorists and their passengers in obtaining transportation when requested.
- b. MOS may direct Communications to contact a taxi service or other person of the motorist's choosing to respond to the scene to provide transportation.
- c. When the motorist is unable to utilize a taxi service or other person for transportation, MOS shall provide transportation within a reasonable distance to the motorist's home or other secure area where a phone is available.
- d. When requested to transport outside the city limits, MOS shall first obtain permission from a supervisor.
- e. When a person is transported, MOS shall notify communications of the beginning mileage, destination, and ending mileage upon arrival.
- f. Routine safety practices, such as a frisk for weapons, may be conducted at the MOS's discretion.

- g. Except in emergency cases, persons shall be transported in accordance with the law regarding passenger and child restraints.

B. Lock-Out Requests

1. MOS may assist motorists in physically gaining entry to locked vehicles in the following emergency situations:
 - a. When a child or animal is locked in the vehicle,
 - b. When the vehicle is creating a traffic hazard, or
 - c. When otherwise directed by a supervisor.
 2. When assisting motorists gaining entry in emergency situations, MOS shall attempt a means of entry which would not obviously damage the vehicle. Except in an extreme emergency, if the only means of entry would obviously result in damage to the vehicle, the MOS should inform the motorist to effect the entry.
 3. MOS shall assist motorists in gaining entry to locked vehicles in non-emergency situations in the following manner:
 - a. Contact a locksmith or other person of the motorist's choice to come to the scene,
 - b. Transport the motorist to and from a location where a key for the vehicle can be obtained, or
 - c. Transport the motorist to a secure area where a phone is available.
- C. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 7
Chapter: 2
Article: 15

REMOVING OR RELOCATING VEHICLES**GENERAL STANDARD**

MOS are authorized to remove, relocate, or impound vehicles from city streets or other locations consistent with New Mexico State Law and Municipal Ordinances, and shall use a towing service, when applicable, in accordance with Department regulations.

STANDARDS AND PROCEDURES

- A. When a vehicle is to be towed or relocated at the direction of an MOS, only those towing services, which have been approved by the Department and have been placed on the on-call schedule shall be used.
- B. When impounding any vehicle, MOS shall first complete a Department Towing Authorization and Inventory Form.
 1. The vehicle to be impounded shall be thoroughly inventoried and all items of value listed on the form, the condition of the vehicle and any visible damage shall be noted.
 2. MOS shall indicate on the form if the vehicle is to be held or released.
- C. The Tow Authorization/Inventory Form is not required when:
 1. The owner or operator of the vehicle requests that their vehicle be towed,
 2. The owner or operator is present at the time that the vehicle is actually towed, and
 3. The reason the vehicle is being towed is not at the direction of the MOS.
- D. When the owner of the vehicle to be towed is not in custody or present, MOS shall:
 1. Before initiating the tow, inform the on-duty shift supervisor.
 2. Send proper notice to the owner of the vehicle in accordance with Municipal Ordinance and Department Procedure.
- E. In lieu of towing and impoundment, any MOS who is authorized to direct traffic or enforce state or local motor vehicle laws, may relocate or cause to be relocated any vehicle from any street, alley or public way within the municipality. This may be done without prior notice to the owner or operator when the relocation is to a safe, legal location and the vehicle is found under circumstances that would authorize the MOS to relocate the vehicle.
- F. MOS may order the impoundment of an abandoned vehicle in accordance with Municipal Ordinance.
- G. MOS shall release vehicles in accordance with Municipal Ordinance, and not knowingly refuse to release any vehicle when circumstances would require otherwise.
- H. MOS are authorized to use a towing service to tow a Department vehicle in emergency situations when:
 1. The vehicle is mechanically unsafe or inoperable,
 2. The fleet maintenance tow truck is unavailable, and
 3. The on-duty supervisor has approved the use of the on-call towing service.
- I. This Procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

Section: 7
Chapter: 2
Article: 16

ADMINISTRATIVE VEHICLE INVENTORY**GENERAL STANDARD**

The Department recognizes and respects the importance of protecting the property of others and the need to minimize claims of lost, stolen or vandalized property. The administrative vehicle inventory shall not be used as a ruse for a criminal investigative tool.

STANDARDS AND PROCEDURES

- A. MOS removing, relocating or impounding vehicles in police custody shall inventory the vehicle and its contents, utilizing the Towing Authorization and Notification Form.
- B. Inventories shall include:
 1. Unlocked or otherwise unsecured vehicles,
 2. Locked vehicles, including trunks, when keys are readily available, and
 3. Items that can be seen in plain view in locked vehicles.
- C. Unlocked closed containers and opened containers shall be inventoried when accessed.
- D. The contents of locked or sealed containers shall not be inventoried unless:
 1. Consent is given by the owner,
 2. A search warrant has been issued, or
 3. MOS has reasonable suspicion that an emergency life-threatening circumstance(s) exist.
- E. Any container or area that cannot be inventoried shall be indicated on the Towing Authorization and Notification Form.
- F. While conducting an administrative inventory, MOS who discover contraband or evidence shall:
 1. Immediately seize the item(s),
 2. Complete the administrative inventory, and/or
 3. Obtain a search warrant before searching beyond the scope of the administrative inventory.
- G. Once the Towing Authorization and Notification Form is completed by the MOS and signed by the appropriate tow company employee, the vehicle shall be considered in the custody of the tow company.
- H. Release of Vehicle:
 1. The owner (or other responsible party) shall be responsible for all associated fees when a vehicle is relocated to a tow company facility absent further investigation. When this occurs, the owner or responsible party shall settle the fees with the tow company.
 2. The Department is responsible for all associated fees when a vehicle is relocated to a Department facility or other appropriate location for investigative purposes with the following exception:
 - a. When the driver of the vehicle is the registered owner and the vehicle would be towed to an impound lot regardless of an ongoing investigation.
 3. A vehicle may be released from a Department facility to the owner or responsible party in the following situations once an Evidence/Property Release Form has been completed:
 - a. When a vehicle was towed to a Department facility for investigative purposes, and the owner (or other responsible party) has settled all charges with the appropriate tow company; or
 - b. When a vehicle was towed to a Department facility for investigative purposes and the Department is responsible for all associated fees.
- I. This policy is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

DWI ENFORCEMENT

Section: 7
Chapter: 3
Article: 1

GENERAL STANDARD

Drivers impaired by alcohol and/or drugs represent a serious threat to the safety of persons and property on the streets and highways of this city, and consequently a comprehensive, coordinated program involving education, enforcement, adjudication, treatment and public support is essential if the Department is to have long term success in combating the DWI problem.

The Department fully supports a comprehensive cooperative DWI countermeasures program, and has established DWI enforcement as one of its highest priorities.

STANDARDS AND PROCEDURES

- A. MOS shall remain alert for signs of alcohol and/or drug impairment in all contacts with motorists.
 1. After conducting an initial investigation at the scene of motorist contact and upon determining that probable cause to arrest is present, MOS shall effect a physical arrest of the subject.
 2. MOS shall not release a DWI suspect or arrange for alternate transportation in lieu of arrest.
 3. Chemical test(s) shall be offered in accordance with state and local requirements, but for prosecution purposes shall be considered a supplemental tool and the case shall not be based solely on the results of the chemical test.
- B. Training
 1. MOS whose assignment includes traffic enforcement shall complete DWI detection and field sobriety training, and receive appropriate in-service refresher training.
 2. MOS conducting preliminary or evidential chemical tests for intoxication shall complete an operator training program and appropriate in-service training as required.
 3. All MOS conducting preliminary or evidential chemical tests shall be certified in accordance with state requirements.
- C. DWI Detection and Pre-Arrest Screening
 1. MOS's observations in this stage are crucial in establishing probable cause upon which the arrest decision is based. Officers must perform the following tasks:
 - a. Recognize and identify specific driving behaviors that indicate a high probability that the driver may be impaired by alcohol and/or drugs.
 - b. Recognize and identify specific behaviors occurring during vehicle stops that provide additional evidence or suspicion that the driver may be impaired.
 - c. Note all observations leading to the suspicion that the driver may be impaired.
 - d. Exercise due care and caution in pursuing impaired drivers and be alert for unusual or inappropriate reactions from the driver.
 2. Once the vehicle has stopped and the driver is thought to be impaired, do not allow the driver to move the vehicle. When circumstances allow, MOS shall:
 - a. Approach the vehicle with caution but with minimal delay.
 - b. Obtain drivers license or other identification and other appropriate documents such as registration and insurance card.
 - c. Interview the driver and passengers.
 - d. Recognize and identify specific characteristics, attitudes and actions commonly manifested by impaired drivers during face-to-face contact.
 - e. Note all observations leading to the suspicion that the driver may be impaired. If reasonable suspicion exists, request the driver exit the vehicle for further investigation.
 - f. Escort the subject to a safe location to conduct field sobriety tests.
 - g. Administer appropriate field sobriety tests to assess impairment such as horizontal gaze nystagmus test, walk-and-turn test, one-leg stand test.
 - h. Formulate an appropriate arrest decision based on the evidence accumulated.



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DWI ENFORCEMENT

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3. When available, portable pre-arrest breath testing equipment may be used to approximate the driver's Blood Alcohol Content (B.A.C.), but shall not be used as the sole basis to effect an arrest.

D. Arrest and Processing

1. When probable cause has been established and a physical arrest occurs, MOS shall:
 - a. Handcuff and search the subject.
 - b. Notify subject of his/her rights and responsibilities such as implied consent and Miranda.
 - c. Secure the vehicle and property.
 - d. Arrange for transportation and safety of any passengers.
 - e. Transport the subject to the Department facility for evidential testing and processing.

2. Evidential Chemical Testing

- a. MOS shall conduct evidential chemical test(s) in accordance with state requirements.
- b. If the subject's B.A.C. does not substantiate observed impairment, MOS shall attempt to determine if a medical condition is the cause of impairment. If no medical condition exists, and the results of the SFST and the observed impairment is not consistent with the results of the breath test, and the results of the breath test are below .08 BAC, or any signs of drug ingestion are visible, the investigating officer shall notify a supervisor. The supervisor should request a Drug Recognition Expert (DRE) who holds current certification. If no DRE is available on duty, the supervisor shall determine whether an off duty DRE is to be contacted or consulted.
- c. A supervisor should consider the following circumstances when deciding whether or not to call out DRE personnel:
 - 1) Drug possession by the subject.
 - 2) Presence of drug paraphernalia on subject or in the vehicle.
 - 3) Incriminating statements of drug use by the subject.
 - 4) Odor of narcotics or volatile substances on the subject.
 - 5) Fresh injection marks on the subject.
 - 6) Physical characteristics of the subject, (i.e. pupil size, slurred or rapid speech, body tremors, etc.)
 - 7) Whether or not the subject admits to being ill or taking medication.

- d. The DRE shall conduct a systematic and standardized evaluation consistent with his or her training and by the guidelines established by the National Highway Traffic Safety Administration (NHTSA).

- e. MOS shall conduct supplementary chemical test(s) in accordance with state requirements.
- f. If the subject's breath test results is a B.A.C. of .28 or higher, or if the subject displays signs of illness, the subject shall be taken for a medical examination.
- g. If the subject refuses to submit to the evidential chemical test, MOS shall complete the appropriate forms to invoke the implied consent sanction.

3. Arrest Report and Required Forms

- a. Department and court forms must be completed as required, and MOS shall thoroughly document all evidence gathered during the investigation and indicate the results of all field sobriety and/or chemical tests administered.
- b. A DWI supplemental report of the arrest shall be completed.
- c. MOS shall include a copy of the subject's driving record with the arrest report.
- d. MOS shall forward citations, report and supporting documents to the shift supervisor for review and transmittal to appropriate agencies.



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STANDARDS AND PROCEDURES

DWI ENFORCEMENT

Section: 7
Chapter: 3
Article: 1

E. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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Section: 7
Chapter: 3
Article: 2

DWI ENFORCEMENT CHECKPOINTS**GENERAL STANDARD**

DWI enforcement checkpoints may be established for the purpose of detecting persons operating motor vehicles while under the influence of intoxicating liquor or drugs and/or to verify a drivers current license status, vehicle registration and proof of insurance. DWI enforcement checkpoints shall only be established when authorized by the Director or his/her designee. Authorization will only be granted after an operational plan is submitted which meets all of the requirements set forth in this procedure.

PROCEDURE**A. Advance Notice to the Public**

1. Advance notice of the DWI checkpoint shall be given to the newspaper and/or other media with the intention to notify the public. The advance notice should serve as a deterrent to DWI, lack of current drivers' license, expired registration and/or no proof of insurance. The advance notice will also help reduce the fear, surprise, and anxiety experienced by the public at the checkpoint.
2. The exact location, time, and duration of the checkpoint are not required in the advance notice.

B. Location

1. Roadway conditions such as width, grade, composition, curves, and view obstructions shall be considered when selecting a checkpoint location to ensure safety for assigned MOS and motorists.
2. The following criteria shall be considered when selecting a checkpoint site:
 - a. The number of fatal crashes,
 - b. The number of DWI arrests,
 - c. The number of alcohol or drug related crashes,
 - d. The number of drinking establishments, and
 - e. The number and location of citations issued for lack of drivers license, registration and proof of insurance.

3. MOS shall not select a location with the specific intent of targeting a particular ethnic group.

C. Time and Duration

1. The checkpoint plan shall include specific starting and ending times, which may be altered only by the checkpoint supervisor for safety reasons.
2. The time of the checkpoint shall be based on the following:
 - a. The closing hours of local drinking establishments,
 - b. Peak hours of DWI offenders, or
 - c. Hours that would not cause unreasonable delay to motorists.

D. Safety Conditions

1. Warning devices such as flares, traffic pylons, signs, and barriers shall be placed preceding the checkpoint to afford motorists sufficient time and distance to slow down and stop.
 - a. The Manual on Uniform Traffic Control Devices should be used as a guideline when setting-up warning devices.
 - b. A sign warning motorists that a checkpoint is ahead shall be displayed before the checkpoint stop area. The sign should indicate the nature of the checkpoint.
2. MOS shall be in uniform and wear a traffic vest.
3. MOS shall carry a flashlight during nighttime checkpoints.
4. Marked law enforcement vehicles shall be present at the checkpoint.
5. The checkpoint area shall be appropriately illuminated.



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DWI ENFORCEMENT CHECKPOINTS

6. The checkpoint area shall have an adequate shoulder or other area to stop vehicles and perform field sobriety testing.
 7. Sufficient MOS shall be assigned to safely handle the traffic volume. In case of excessive traffic delays, only the checkpoint supervisor can authorize the "waving through" of all vehicles necessary to clear the back-up and resume checkpoint operations.
- E. Length of Detention
1. Initially, motorists should be detained long enough for MOS to inform them of the purpose of the stop, identify signs of driving under the influence, and/or review drivers license status, registration and proof of insurance.
 2. MOS shall not unreasonably detain motorists.
 3. MOS who experience uncooperative drivers at the checkpoint should order them to the interview area to avoid any unnecessary delay to other motorists.
 4. The supervisor in charge of the checkpoint shall be responsible for ensuring that a sufficient number of MOS are assigned to the checkpoint to minimize the length of detention.
- F. Discretion
1. MOS shall be limited in the amount of discretion they can exercise. The supervisor in charge of the checkpoint shall brief assigned MOS on:
 - a. Checkpoint operations and procedures,
 - b. The pattern in which vehicles shall be stopped to avoid randomness,
 - c. Examples of statements to be made to detained motorists, and
 - d. Initial and secondary enforcement action.
 2. MOS may stop motorists who avoid the checkpoint only when there are articulable facts supporting reasonable suspicion that a crime has been or is being committed.
 3. MOS who have reasonable suspicion of a crime including lack of current drivers license, expired registration and/or no proof of insurance, or exigent circumstances may detain motorists and take appropriate action.
 4. MOS shall use reasonable methods in order to gain compliance from uncooperative motorists.
- G. Documentation
1. The checkpoint supervisor shall be responsible for documenting and reporting the number of arrests, charges and citations issued.
 2. An after action report, which includes the above information shall be forwarded to the Director and/or his designee.
- H. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.



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STANDARDS AND PROCEDURES

CONTROL AND HANDLING OF BLOOD COLLECTION KITS

Section: 7
Chapter: 3
Article: 3

GENERAL STANDARD

A sworn MOS who coordinates a criminal case where a person is suspected of being under the influence of an intoxicating liquor or drug shall be responsible for the control and handling of the Blood Collection Kit and shall ensure that guidelines are met in accordance with state law.

STANDARDS AND PROCEDURES

- A. When a person is under arrest and has given consent to submit to a blood test, when a person has otherwise voluntarily consented to a blood test, or when a court order has been issued to obtain a blood test, the MOS shall:
 1. Notify, or request notification of, a blood technician employed by a company currently providing that service to the Department, and
 2. Observe the person to be tested to prevent actions that could intentionally alter the status of the person's blood until the technician arrives.
- B. Upon arrival of the technician, the MOS shall ensure that a proper collection kit will be used.
 1. The collection kit must be a Blood Collection Kit as approved by the State of New Mexico Scientific Laboratory Division.
 2. The kit shall contain all necessary equipment, forms and seals. Outside materials shall not be substituted.
- C. The MOS shall witness the withdrawal of blood from the suspect to the test tubes.
- D. The MOS shall ensure that the proper forms and seals included in the Blood Collection Kit are completed by the technician and signed and dated.
- E. The MOS shall complete and sign any forms requiring such action.
- F. An Analysis Report form shall be completed and the MOS and technician shall sign the report.
- G. The Blood Collection Kit shall be handled as evidence.
- H. The Blood Collection Kit and Analysis Report shall be forwarded to the Scientific Laboratory Division, either by mail or in person, by the evidence custodian.
 1. When sent by mail:
 - a. The items shall be placed into a sturdy envelope, sealed with tape, initialed across the tape, and addressed as follows:

SCIENTIFIC LABORATORY DIVISION
700 Camino de Salud NE
Albuquerque, New Mexico 87106
 - b. The Department's return address shall be on the envelope.
 2. When forwarded in person:
 - a. The items shall be delivered to the Scientific Laboratory Division by the evidence custodian, maintaining the chain of custody.
 - b. The items shall be released to an employee of the Scientific Laboratory qualified to examine blood specimens. The evidence custodian shall ensure the employee signs for receipt of the items.
- I. When an arrested person requests an independent test, MOS shall:
 1. Advise the arrested person that they may select a physician or other licensed professional of their choosing.
 2. Provide the arrested person with a telephone book.
 3. Advise the arrested person of the company contracted with the Department to provide the services.
- J. When an independent blood test has been taken, MOS shall not take custody of the kit except at the request of the arrested person.
- K. When an MOS takes custody of the independent blood sample, the kit shall:
 1. Be placed into evidence.
 2. Be kept in evidence for a minimum of seven days to allow the person time to retrieve the sample to be taken for examination.
- L. This procedure is to be used in conjunction with Department standards, orders, values and other relevant policies and procedures.